

## §1955. Restrictions

**1. Restricted activities.** An alliance may not purchase health care services, assume risk for the cost or provision of health care services or otherwise contract with health care providers for the provision of health care services to enrollees without the prior approval of the superintendent.

[PL 1997, c. 616, §3 (AMD).]

**2. Licensing.** A person who solicits applications for insurance, negotiates insurance contracts or takes applications for insurance from enrollees on behalf of an alliance or on behalf of insurance carriers or health maintenance organizations that have contracted with the alliance must be licensed with the bureau in compliance with chapter 16.

[PL 1997, c. 457, §32 (AMD); PL 1997, c. 457, §55 (AFF).]

**3. Conflict of interest.** A person may not be a board member, officer or employee of an alliance if that person is employed as or by, is a member of the board of directors of, is an officer of, or has a material direct or indirect ownership interest in a carrier or health care provider. A person may not be a board member or officer of an alliance if a member of that person's household is a member of the board of directors of, is an officer of or has a material direct or indirect ownership interest in a carrier or health care provider. An employee of an alliance who is licensed as an agent, broker or consultant may act under that license only on behalf of the alliance and only within the scope of that person's duties as an employee.

[PL 1997, c. 616, §3 (AMD).]

**4. Commissions.** All commissions or other payments to the alliance from or on behalf of carriers must inure to the benefit of the alliance and alliance members. An employee of an alliance may not receive compensation that is contingent upon the amount of coverage sold or upon the health carrier that is chosen. This subsection does not prohibit an alliance from arranging coverage through an unaffiliated agent or broker who is paid on a commission basis in the ordinary course of business.

[PL 1995, c. 673, Pt. A, §3 (NEW).]

**5. Rulemaking.** The superintendent may specify further restrictions by rule.

[PL 1995, c. 673, Pt. A, §3 (NEW).]

### SECTION HISTORY

PL 1995, c. 673, §A3 (NEW). PL 1997, c. 457, §32 (AMD). PL 1997, c. 457, §55 (AFF). PL 1997, c. 616, §3 (AMD).

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