

**§ 58-68-50. Disclosure of information.**

(a) Disclosure of Information by Health Insurers. – In connection with the offering of any health insurance coverage to a small employer, a health insurer:

- (1) Shall make a reasonable disclosure to the employer, as part of its solicitation and sales materials, of the availability of information described in subsection (b) of this section, and
- (2) Shall upon request of the small employer, provide the information.

(b) Information Described. –

- (1) In general. – Subject to subdivision (3) of this subsection, with respect to a health insurer offering health insurance coverage to a small employer, information described in this subsection is information concerning:
  - a. The provisions of the coverage concerning the health insurer's right to change premium rates and the factors that may affect changes in premium rates;
  - b. The provisions of the coverage relating to renewability of coverage;
  - c. The provisions of the coverage relating to any preexisting condition exclusion; and
  - d. The benefits and premiums available under all health insurance coverage for which the employer is qualified.
- (2) Form of information. – Information under this subsection shall be provided to small employers in a manner determined to be understandable by the average small employer, and shall be sufficient to reasonably inform small employers of their rights and obligations under the health insurance coverage.
- (3) Exception. – A health insurer is not required under this section to disclose any information that is proprietary and trade secret information under applicable law. (1997-259, s. 1(c).)