

IC 27-13-29

Chapter 29. Statutory Construction and Relationship to Other Laws

IC 27-13-29-1

Applicability of provisions

Sec. 1. (a) Except as provided in subsection (b) or as otherwise provided in this article or IC 27:

(1) IC 27; and

(2) the provisions of IC 16 regulating hospitals;

do not apply to any health maintenance organization or limited service health maintenance organization (as defined in IC 27-13-34-4) that is granted a certificate of authority under this article. However, this section does not apply to an insurer or a hospital that is licensed under Indiana law, except with respect to the health maintenance organization activities of the hospital or insurer that are authorized and regulated under this article.

(b) Every:

(1) health maintenance organization; and

(2) limited service health maintenance organization (as defined in IC 27-13-34-4);

authorized to do business in Indiana is subject to IC 27-4-1 relating to unfair methods of competition and unfair or deceptive acts or practices to the extent that IC 27-4-1 does not conflict with this article. If a provision in IC 27-4-1 conflicts with this article, this article governs and controls.

As added by P.L.26-1994, SEC.25. Amended by P.L.255-1995, SEC.14; P.L.91-1998, SEC.23.

IC 27-13-29-2

Solicitation of enrollees

Sec. 2. Provided that the solicitation otherwise complies with IC 27-13-21, the solicitation of enrollees by:

(1) a health maintenance organization or limited service health maintenance organization that is granted a certificate of authority; or

(2) a representative of an organization described in subdivision (1);

may not be construed to violate any provision of law relating to solicitation or advertising by health professionals.

As added by P.L.26-1994, SEC.25.

IC 27-13-29-3

Repealed

(Repealed by P.L.227-1995, SEC.2.)

IC 27-13-29-4

Risk based capital requirements

Sec. 4. A:

(1) health maintenance organization; or

(2) limited service health maintenance organization;

that is domiciled in Indiana is subject to the risk based capital requirements of IC 27-1-36, unless exempted by the commissioner under IC 27-1-36-1.

As added by P.L.51-2002, SEC.11.