



Gray Davis, Governor
State of California
Business, Transportation and Housing Agency

980 9th Street
Suite 500
Sacramento, CA 95814
916-324-8176 voice
916-322-2533 fax

March 25, 2003

TO: Health Plans Operating an Exempt EAP Program

FROM: Department of Managed Health Care

RE: **Advisory Concerning Exempt Employee Assistance Program**

The California Code of Regulation, Title 28, Section 1300.43.14 exempts employee assistance programs meeting specific requirements from licensure as Knox-Keene Act health care service plan ("exempt EAP program"). In order to rely on the exemption, a health care service plan must have filed a Notice of Employee Assistance Program Exemption Rule 1300.43.14 form ("Notice") within the preceding 24 months.

Licensed health care service plans that operate an exempt EAP program should submit the Notice electronically. A copy of the Notice is attached. You may also obtain a copy of the Notice on our website at <https://wp.dmhc.ca.gov/efile>; click on "Downloads" or at www.dmhc.ca.gov/hpp/memos/. When transmitting your Notice, please file electronically just as you do for your regular filings via the DMHC web portal (<https://wp.dmhc.ca.gov/efile>). It should be filed as an Amendment, using doc code EAP01, with an Execution Page and Exhibit E-1 (Summary of Filing).

Unlicensed entities that operate an exempt EAP program should submit the Notice with a true and accurate signature of the representative. Attached please find a copy of the Notice. You may also obtain a copy of the Notice from our web site at www.dmhc.ca.gov/hpp/memos/. After you have completed and signed the Notice, convert the file to an image form such as .pdf, .tif or .jpg. Then submit the Notice via email to EAPFiling@dmhc.ca.gov. Unlicensed entities should maintain the original hard copy of the Notice in their possession.

Any licensed health care service plan or other entity that is currently operating an exempt EAP program and has failed to file a Notice within the preceding 24 months should submit a proper Notice no later than May 1, 2003.

If you have any questions regarding the EAP Notice, please contact Nathan Jackson at (916) 323-6948 or njackson@dmhc.ca.gov. You may also send inquires to helpfile@dmhc.ca.gov.

Attachment