

OFFICIAL USE ONLY

**APPLICATION AND ANNUAL COMPLIANCE FORM FOR MEWA REGISTRATION
CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 1357.503 and 1357.505¹
KNOX-KEENE HEALTH CARE SERVICE PLAN ACT**

Dated:

☐ Original Application Form for MEWA² Registration

☐ Amended Application Form for MEWA Registration

MEWA Registration Number:

Date of the most recently submitted Application Form for MEWA
Registration:

☐ Annual Filing of Ongoing Compliance with Section 1357.503 or 1357.505

MEWA Registration Number:

Please affirm the MEWA continues to seek registration with the
Department of Managed Health Care (DMHC), and complies with
the requirements set forth in Section 1357.503(a)(2)(B) or (C), or
Section 1357.505(a). Check below to affirm:

☐ Yes

☐ No

Please affirm there are no changes to the MEWA's most recently
submitted Application Form for MEWA registration. Check below to
affirm:

☐ Yes

If yes, please skip Items 1 through 8 below, and submit an
executed version of this Application Form for MEWA registration.

¹ California Health and Safety Code sections 1340 *et seq.* (the "Act"). References herein
to "Section" are to sections of the Act, unless otherwise noted.

² Multiple Employer Welfare Arrangement (MEWA) is defined under Section 3(40) of
ERISA (29 U.S.C. Sec. 1002(40)).

☐ No

If no, please submit an Amended Application Form for MEWA Registration for DMHC review.

Date of the most recently submitted Application Form for MEWA Registration:

1. General contact information of the MEWA

a. Legal name of the MEWA:

b. Fictitious name(s) used in connection with the operation of the MEWA:

If none, specify "N/A"

c. Address of the MEWA:

Street Address or PO Box Number

City, State and Zip Code

d. Mailing Address, if different:

Street Address or PO Box Number

City, State and Zip Code

e. Phone Number of MEWA (include area code):

f. Email Address of MEWA:

2. Identify by legal name and dba each DMHC health care service plan and California Department of Insurance (CDI) disability insurer under which the large group health care service plan contract offers only fully insured benefits through. [See Section 1357.503(a)(2)(B)(i)(VI) and (C)(i)(VI), and 1357.505(a)(6)].

3. Select the provision under which the MEWA is seeking registration:

☐ Section 1357.503(a)(2)(B)

If selected, please complete Item 4 and skip Items 5 and 6.

☐ Section 1357.503(a)(2)(C)

If selected, please complete Item 5 and skip Items 4 and 6.

☐ Section 1357.505(a)

If selected, please complete Item 6 and skip Items 4 and 5.

4. Section 1357.503(a)(2)(B) affirmations. Check below to affirm:

☐ a. The MEWA is an association of employers offering a large group health care service plan contract consistent with the Employee Retirement Income Security Act of 1974 (Public Law 93-406) (ERISA), as amended (29 U.S.C. Sec. 1001 *et seq.*). [See Section 1357.503(a)(2)(B)(i)].☐ b. The association is headquartered in California and is a MEWA as defined under Section 3(40) of ERISA (29 U.S.C. Sec. 1002(40)). [See Section 1357.503(a)(2)(B)(i)(I)].

Please provide the address of the association's headquarters.

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☐ c. The MEWA is fully insured as described in Section 514 of ERISA (29 U.S.C. Sec. 1144) and is a bona fide association or group of employers that may act as an "employer" under Section 3(5) of ERISA. [See Section 1357.503(a)(2)(B)(i)(II)].☐ d. The MEWA was established prior to March 23, 2010, and has been in continuous existence since that date, and offers a large group health care service plan contract in connection with an employee welfare benefit plan under Section 3(1) of ERISA (29 U.S.C. Sec. 1002(1)). [See Section 1357.503(a)(2)(B)(i)(III)].

Please provide the date of the MEWA's establishment.

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Please provide the date of first operation.

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Please provide the date the MEWA began offering coverage.

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- ☐ e. As of January 1, 2019, the large group health care service plan contract offered to employees has continuously provided a level of coverage having an actuarial value equivalent to, or greater than, the platinum level of coverage, as described in Section 1367.008, that is available through the California Health Benefit Exchange established pursuant to Section 100500 of the Government Code, and the large group health care service plan contract provides coverage for essential health benefits consistent with Section 1367.005 and any rules or regulations adopted pursuant to that section. [See Section 1357.503(a)(2)(B)(i)(IV)].

Please provide any associated DMHC licensee filing number(s) demonstrating compliance.

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- ☐ f. The large group health care service plan contract includes coverage of employees, and their dependents, who are employed in designated job categories on a project-by-project basis for one or more participating employers, with no single project exceeding six months in duration, and who, in the course of that employment, are not covered by another group health care service plan contract in which the employer participates. Employer members of the MEWA subsidize at least 51 percent of the cost of individual employee premiums of their employees. [See Section 1357.503(a)(2)(B)(i)(V)].
- ☐ g. The large group health care service plan contract offers only fully insured benefits through a health care service plan licensed by the DMHC or a health insurance policy with a disability insurer that is licensed by the Department of Insurance. The benefits offered under the large group health care service plan contract shall be considered fully insured only if the terms of the health care service plan contract provide for benefits, the amount of all of which the department determines are guaranteed under a health care service plan contract issued by a health care service plan licensed by the department. [See Section 1357.503(a)(2)(B)(i)(VI)].
- ☐ h. The number of total employees, including employees described in Section 1357.503(a)(2)(B)(i)(V), employed by all participating employers in each year is at least 101 employees. [See Section 1357.503(a)(2)(B)(i)(VII)].
- ☐ i. The MEWA and participating employers have a genuine organizational relationship unrelated to the provision of health care benefits, and the MEWA existed prior to the establishment of the employee welfare benefit plan. [See Section 1357.503(a)(2)(B)(i)(VIII)].
- ☐ j. The participating employers have a commonality of interests from being in the same line of business, unrelated to the provision of health care benefits, as demonstrated by membership in the same business league, as described in Section 501(c)(6) of the Internal Revenue Code

(26 U.S.C. Sec. 501(c)(6)). [See Section 1357.503(a)(2)(B)(i)(IX)].

- ☐ k. Membership in the MEWA is open solely to employers, including the MEWA as an employer, and participating member employers exercise control, either directly or indirectly, over the employer welfare benefit plan, the MEWA, and the large group health care service plan contract, in form and in substance. [See Section 1357.503(a)(2)(B)(i)(X)].
- ☐ l. The large group health care service plan contract is treated as a single-risk-rated contract that is guaranteed issue and guaranteed renewable for employees and dependents. An employee or dependent is not charged premium rates based on health status and is not excluded from coverage based upon any preexisting condition. Employee and dependent eligibility are not directly or indirectly based on the health status or claims of any person. An employer is not excluded from participating in a MEWA or offering the large group health care service plan contract based on the health status or claims of any employee or dependent. [See Section 1357.503(a)(2)(B)(i)(XI)].

5. Section 1357.503(a)(2)(C) affirmations. Check below to affirm:

- ☐ a. The MEWA is an association of employers offering a large group health care service plan contract to small group employer members of the association consistent with the Employee Retirement Income Security Act of 1974 (Public Law 93-406) (ERISA), as amended (29 U.S.C. Sec. 1001 *et seq.*). [See Section 1357.503(a)(2)(C)(i)].
- ☐ b. The association is headquartered in California, was established prior to March 23, 2010, has been in continuous existence since that date, and is a bona fide association or group of employers that may act as an employer under Section 3(5) of ERISA (29 U.S.C. Sec. 1002(5)). The association is the sponsor of a MEWA, as defined under Section 3(40) of ERISA (29 U.S.C. Sec. 1002(40)). [See Section 1357.503(a)(2)(C)(i)(I)].

Please provide the address of the association's headquarters.

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Please provide the date of the association's establishment.

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- ☐ c. The MEWA is fully insured as described in Section 514 of ERISA (29 U.S.C. Sec. 1144), is headquartered in California, and is in full compliance with all applicable state and federal laws. [See Section 1357.503(a)(2)(C)(i)(II)].

- ☐ d. The MEWA has offered a large group health care service plan since January 1, 2012, in connection with an employee welfare benefit plan under Section 3(1) of ERISA (29 U.S.C. Sec. 1002(1)). [See Section 1357.503(a)(2)(C)(i)(III)].

Please provide the date of first operation.

Please provide the date the MEWA began offering coverage.

- ☐ e. The large group health care service plan offers to employees a level of coverage having an actuarial value or equivalent to, or greater than, the platinum level of coverage pursuant to Section 1367.009 available through the California Health Benefit Exchange established pursuant to Section 100500 of the Government Code and provides coverage for essential health benefits consistent with Section 1367.005 and any rules or regulations pursuant to that section. [See Section 1357.503(a)(2)(C)(i)(IV)].

Please provide any associated DMHC licensee filing numbers demonstrating compliance.

- ☐ f. The large group health care service plan includes coverage of common law employees, and their dependents, who are employed by an association member in the biomedical industry and whose employer has operations in California. [See Section 1357.503(a)(2)(C)(i)(V)].
- ☐ g. The large group health care service plan offers only fully insured benefits through an insurance contract with a health care service plan licensed by the DMHC. [See Section 1357.503(a)(2)(C)(i)(VI)].
- ☐ h. Association members purchasing health coverage have a minimum of four full-time common law employees and are current employer members of the association sponsoring the MEWA. Employer members of the association subsidize employee premiums by at least 51 percent. [See Section 1357.503(a)(2)(C)(i)(VII)].
- ☐ i. The association is an organization with business and organizational purposes unrelated to the provision of health care benefits and existed prior to the establishment of the MEWA offering the employee welfare benefit plan. [See Section 1357.503(a)(2)(C)(i)(VIII)].
- ☐ j. The participating member employers have a commonality of interests from being in the same industry, unrelated to the provision of health care benefits. [See Section 1357.503(a)(2)(C)(i)(IX)].

- ☐ k. Membership in the association is open solely to employers, and the participating member employers, either directly or indirectly, exercise control over the employee welfare benefit plan, the MEWA, and the large group health care service plan contract, both in form and substance. [See Section 1357.503(a)(2)(C)(i)(X)].
- ☐ l. The large group health care service plan contract is treated as a single-risk-rated contract that is guaranteed issued and renewable for member employers, as well as their employees and dependents. An employee or dependent is not charged premium rates based on health status and is not excluded from coverage based upon any preexisting condition. Employee and dependent eligibility are not directly or indirectly based on health status or claims of any person. An employer otherwise eligible is not excluded from participating in a MEWA, or offering or renewing the large group health care service plan contract based on health status or claims of any employee or dependent. [See Section 1357.503(a)(2)(C)(i)(XI)].
- ☐ m. The MEWA at all times covers at least 101 employees. [See Section 1357.503(a)(2)(C)(i)(XII)].

6. Section 1357.505 affirmations. Check below to affirm:

- ☐ a. The MEWA is an association of employers offering a large group health care service plan contract to small group employer members of the association consistent with the Employee Retirement Income Security Act of 1974 (Public Law 93-406) (ERISA), as amended (29 U.S.C. Sec. 1001 *et seq.*). [See Section 1357.505(a)].
- ☐ b. The association was established prior to January 1, 1966, has been in continuous existence since that date, and is a bona fide association or group of employers that may act as an employer under Section 3(5) of ERISA (29 U.S.C. Sec. 1002(5)). The association is the sponsor of a MEWA, as defined under Section 3(40) of ERISA (29 U.S.C. Sec. 1002(40)). [See Section 1357.505(a)(1)].

Please provide the date of the association's establishment.

- ☐ c. The MEWA is fully insured as described in Section 514 of ERISA (29 U.S.C. Sec. 1144), and is in full compliance with all applicable state and federal laws. [See Section 1357.505(a)(2)].
- ☐ d. The MEWA has offered a large group health care service plan since January 1, 2012, in connection with an employee welfare benefit plan under Section 3(1) of ERISA (29 U.S.C. Sec. 1002(1)). [See Section 1357.505(a)(3)].

Please provide the date of first operation.

Please provide the date the MEWA began offering coverage.

- ☐ e. The large group health care service plan offers to employees a level of coverage having an actuarial value or equivalent to, or greater than, the platinum level of coverage pursuant to Section 1367.009 available through the California Health Benefit Exchange established pursuant to Section 100500 of the Government Code and provides coverage for essential health benefits consistent with Section 1367.005 and any rules or regulations pursuant to that section. [See Section 1357.505(a)(4)].

Please provide any associated DMHC licensee filing number(s) demonstrating compliance.

- ☐ f. The large group health care service plan includes coverage of common law employees, and their dependents, who are employed by an association member in the engineering, surveying, or design industry and whose employer has operations in California. [See Section 1357.505(a)(5)].
- ☐ g. The large group health care service plan offers only fully insured benefits through an insurance contract with a health care service plan licensed by the DMHC. [See Section 1357.505(a)(6)].
- ☐ h. Association members purchasing health coverage have a minimum of two full-time common law employees and are current employer members of the association sponsoring the MEWA. Employer members of the association subsidize employee premiums by at least 51 percent. [See Section 1357.505(a)(7)].
- ☐ i. The association is an organization with business and organizational purposes unrelated to the provision of health care benefits and existed prior to the establishment of the MEWA offering the employee welfare benefit plan. [See Section 1357.505(a)(8)].
- ☐ j. The participating member employers have a commonality of interests from being in the same industry, unrelated to the provision of health care benefits. [See Section 1357.505(a)(9)].
- ☐ k. Membership in the association is open solely to employers, and the participating member employers, either directly or indirectly, exercise control over the employee welfare benefit plan, the MEWA, and the large group health care service plan contract, both in form and substance. [See Section 1357.505(a)(10)].
- ☐ l. The large group health care service plan contract is treated as a single-risk-rated contract that is guaranteed issued and renewable for member

employers, as well as their employees and dependents. An employee or dependent is not charged premium rates based on health status and is not excluded from coverage based upon any preexisting condition. Employee and dependent eligibility are not directly or indirectly based on the health status or claims of any person. An employer otherwise eligible is not excluded from participating in a MEWA, or offering or renewing the large group health care service plan contract based on the health status or claims of any employee or dependent. [See Section 1357.505(a)(11)].

- ☐ m. The MEWA at all times covers at least 101 employees. [See Section 1357.505(a)(12)].

7. Name of the MEWA's agent for service of process in the state of California:

Address of the MEWA's agent for service of process in the state of California:

Street Address or PO Box Number

City, State and Zip Code

Mailing Address, if different:

Street Address or PO Box Number

City, State and Zip Code

8. Identify the name, title, address and telephone number of representative who may be contacted concerning this Application Form for MEWA Registration:

Contact's Name:

Contact's Full Name - First, Middle, and Last Name

Contact's Title:

Mailing Address:

Street Address or PO Box Number

City, State and Zip Code

Phone Number (include area code):

Name of Person/Entity Filing Application Form for MEWA Registration:

Full Name - First, Middle, and Last Name or Entity

Signed By:

Full Name - First, Middle, and Last Name

Contact's Title:

Title

Application and Annual Compliance Form for MEWA Registration Declaration

I certify (or declare) under penalty of perjury under the laws of the State of California that I have read the information contained in this Application and Annual Compliance Form for MEWA Registration including its attachments and know the contents thereof and that the statements therein are true and correct.

I further declare hereby that the MEWA will annually file evidence of ongoing compliance by submitting the Application and Annual Compliance Form for MEWA Registration to demonstrate compliance with Section 1357.503(a). [See Section 1357.503(a)(2)(B)(XII) and (C)(XIII), and Section 1357.505(a)(13)(A)].

MEWA Name:

Signature of Authorized Person:

Printed Name and Title of Authorized Person:

Executed at (City and State):

Date: