

[Ind. Code §§ 27-17-5-1 through 27-17-5-3.]

§§ 27-17-5-1 through 27-17-5-3: Discount Medical Card Program Organizations -- Disclosures

§ 27-17-5-1. Required disclosures

Sec. 1. (a) A discount medical card program organization shall make to a prospective cardholder, and print on the first page of advertisements, marketing materials, and brochures relating to a discount medical card program, the following written disclosures:

- (1) That the discount medical card program is not health insurance.
 - (2) That the discount medical card program provides discounts for medical services rendered by program providers.
 - (3) That the discount medical card program does not make payments to providers.
 - (4) That the discount medical card program makes available, before purchase and upon request, a list of program providers, including the:
 - (A) name;
 - (B) city;
 - (C) state; and
 - (D) specialty;of each program provider that is located in the prospective cardholder's service area.
 - (5) That the cardholder:
 - (A) is obligated to pay for all medical services; and
 - (B) will receive a discount from a program provider.
 - (6) The name and the locations of the discount medical card program organization and the corresponding customer service toll free telephone number.
- (b) The disclosures made under subsection (a) must be printed in at least 12 point type.

(c) The front of an identification card or other materials designed to identify an individual as a cardholder must include, in boldface, 8 point type, the statement "This is not insurance".

(d) If the initial contact with a prospective cardholder is by telephone, the disclosures made under subsection (a) must be:

(1) made orally; and

(2) included in the initial written materials that describe the terms and conditions of the benefits under the discount medical card program provided to the prospective or new cardholder.

§ 27-17-5-2. Agreement; requirements

Sec. 2. (a) A person that wishes to be a cardholder of a discount medical card program shall enter into a written agreement with the discount medical card program organization.

(b) A written agreement entered into under subsection (a) must:

(1) specify the cardholder's benefits under the discount medical card program;

(2) specify excluded medical services;

(3) specify that the discount medical card program organization will continuously make available to the cardholder, through a toll free telephone number, the Internet, or in writing upon request, the:

(A) name;

(B) address;

(C) telephone number; and

(D) specialty;

of each program provider in the cardholder's service area; and

(4) comply with the disclosure requirements specified under section 1 of this chapter.

§ 27-17-5-3. Disclosures by certain marketing organizations

Sec. 3. A marketing organization that is wholly owned by an insurer or a health maintenance organization granted a certificate of authority under this title shall disclose the marketing organization's parent company affiliation in all marketing and membership materials.