

(g) It is not discrimination or a rebate to issue policies of health insurance that provide for increases in benefits to policyholders who maintain their policies continuously in force without lapse for specified periods.

(H) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "BONA FIDE WELLNESS PROGRAM" MEANS A PROGRAM THAT IS DESIGNED TO:

1. PREVENT OR DETECT DISEASE OR ILLNESS;
2. REDUCE OR AVOID POOR CLINICAL OUTCOMES;
3. PREVENT COMPLICATIONS FROM MEDICAL CONDITIONS; OR
4. PROMOTE HEALTHY BEHAVIORS AND LIFESTYLE CHOICES.

(III) "CARRIER" MEANS:

1. AN INSURER;
2. A NONPROFIT HEALTH SERVICE PLAN; ~~OR~~
3. A HEALTH MAINTENANCE ORGANIZATION; OR
4. A DENTAL PLAN ORGANIZATION.

(2) IT IS NOT DISCRIMINATION OR A REBATE FOR A CARRIER TO PROVIDE REASONABLE INCENTIVES TO AN INDIVIDUAL WHO IS AN INSURED, A SUBSCRIBER, OR A MEMBER FOR PARTICIPATION IN A BONA FIDE WELLNESS PROGRAM OFFERED BY THE CARRIER IF:

(I) THE CARRIER DOES NOT MAKE PARTICIPATION IN THE BONA FIDE WELLNESS PROGRAM A CONDITION OF COVERAGE UNDER A POLICY OR CONTRACT;

(II) PARTICIPATION IN THE BONA FIDE WELLNESS PROGRAM IS VOLUNTARY AND A PENALTY IS NOT IMPOSED ON AN INSURED, SUBSCRIBER, OR MEMBER FOR NONPARTICIPATION;