

Amendment to HB 499-FN

1 Amend the bill by replacing sections 10 and 11 with the following:

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3 10 Paid-up Capital. Amend RSA 401:4 to read as follows:

4 401:4 Paid-up Capital. All stock companies organized ***on or after January 1, 2026***, under the  
5 provisions of this chapter shall have a paid-up capital of at least [~~\$800,000~~] ***\$3,000,000***. ***Stock***  
6 ***companies organized prior to January 1, 2026, shall have and at all times maintain paid***  
7 ***up capital of not less than the minimum capital required for the point in time at which the***  
8 ***company was organized.***

9 11 Stock Company. Amend RSA 405:2 to read as follows:

10 405:2 Stock Company. No such stock insurance company ***organized on or after January 1,***  
11 ***2026*** shall be licensed to do business in the state unless it shall possess a paid-up capital of  
12 [~~\$800,000~~] ***\$3,000,000***, invested in securities readily convertible into cash, 1/2 at least of which are  
13 not loans secured by real estate; nor unless it shall possess, in addition to such capital, assets equal  
14 in amount to all its outstanding liabilities, estimating 50 percent of premiums received on unexpired  
15 fire risks running one year or less from date of policy, and a pro rata amount of all premiums  
16 received on unexpired risks running more than one year from date of policy, and on marine risks 50  
17 percent of the amount of premiums written on policies upon yearly risks, and upon risks covering  
18 more than one passage not terminated, and the full amount of premiums written on policies of all  
19 other marine risks not terminated as a liability. ***Stock companies organized prior to January 1,***  
20 ***2026, shall have and at all times maintain paid up capital of not less than the minimum***  
21 ***capital required for the point in time at which the company was organized.***

22

23 Amend RSA 400-A:29, I-a(e) as inserted by section 13 of the bill by replacing it with the following:

24 (e) Amendment \$25

25

26 Amend RSA 400-A:29, XIV(c) as inserted by section 13 of the bill by replacing it with the following:

27 (c) Amendment to license - ***except change of name or change of address*** \$50

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29 Amend the bill by replacing all after section 20 with the following:

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31 21 Managed Care Law; Network Adequacy; Reporting Requirement. Amend RSA 420-J:7, V to  
32 read as follows:

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1           V. The commissioner shall [~~provide a report annually on the findings associated with~~  
2 ~~network adequacy review to the chairpersons of the house and senate committees having jurisdiction~~  
3 ~~over insurance issues~~] **make available to the public information regarding each health**  
4 **carrier's managed care network.**

5           22 Managed Care Law; Coverage and Payment for Emergency Services Provided by  
6 Nonparticipating Providers or Nonparticipating Emergency Facilities. Amend RSA 420-J:8-g, II to  
7 read as follows:

8           II. The patient's cost-sharing for items or emergency services provided by a nonparticipating  
9 provider or nonparticipating emergency facility shall be calculated by the health carrier based on the  
10 **lesser of the** qualifying payment amount, **the billed amount, or the allowed amount for the**  
11 **item or service.**

12           23 Managed Care Law; Coverage and Payment for Services Provided at Participating Facilities  
13 by Nonparticipating Providers. Amend RSA 420-J:8-h, II to read as follows:

14           II. The patient's cost-sharing for items or services provided by a nonparticipating provider at  
15 a participating facility shall be calculated [~~using~~] **by the health carrier based on the lesser of the**  
16 **qualified payment amount, the billed amount, or the allowed amount** for the item or service.

17           24 Consumer Guaranty Contracts; Exemption; Manufacturer's Service Contracts. Amend RSA  
18 415-C:1, III to read as follows:

19           III. "Consumer guaranty contract":

20           (a) Is an agreement in which one party, for consideration, promises to pay, indemnify,  
21 provide a specified or determinable amount or benefit, or to do some act of value for another party,  
22 based upon a determinable risk contingency or peril, but which is not insurance or does not warrant  
23 full application of the state's insurance statutes or rules.

24           (b) Includes the following agreements:

25           (1) Service contracts, also known as extended warranties or warranty service  
26 contracts, that apply to motor vehicles, homes, and consumer products.

27           (2) [Repealed.]

28           (3) [Repealed.]

29           (4) Contracts deemed by the commissioner by rule or order subject to this chapter.

30           ~~[(9) Manufacturer's service contracts on the manufacturer's products.]~~

31           (c) Does not include any of the following:

32           (1) Expressed or implied warranties.

33           (2) Maintenance agreements.

34           (3) Motor vehicle road service, tourist service and repairs under RSA 407-C.

35           (4) Warranties, service contracts, or maintenance agreements offered by public  
36 utilities on their transmission devices regulated by the public utilities commission.

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1                   (5) Warranties, service contracts, and maintenance agreements that are conditioned  
2 upon or otherwise associated with the sale or supply of heating fuel.

3                   (6) Warranties, service contracts, and maintenance agreements sold or offered for  
4 sale to persons other than consumers.

5                   (7) Debt cancellation or debt suspension contracts between a creditor and a borrower  
6 for the cancellation or suspension of the debt.

7                   (8) Prepaid legal contracts.

8                   **(9) *Manufacturer's service contracts on the manufacturer's products.***

9                   25 Repeal. RSA 400-A:31, I(a), relative to the general premium tax report calculation by title  
10 insurers, is repealed.

11                   26 Effective Date. This act shall take effect 60 days after passage.