



## MEWA NOTICE

All MEWAs are required to comply with Oklahoma's MEWA licensing statute (36 O.S. §§ 633-641), unless specifically exempt pursuant to § 634. Section 634(B) provides in relevant part, as follows:

This act shall not apply to:

1. A MEWA that offers or provides benefits that are fully insured by an authorized insurer (§634(B)(1));
  2. ...N/A (§634(B)(2))
  3. Any plan that has no more than two employer members which share substantial common support other than income generated by their respective similar business classification (§634(B)(3));
  4. A plan that has no more than two employer members, which together have a combined net worth of more than Five Million Dollars (\$5,000,000.00) and each of such member employers participated in the continuous sponsorship and maintenance of such MEWA for the benefit of their employees for a period of more than ten (10) years next preceding the effective date of this act (§634(B)(4)); or
  5. A nonprofit professional trade association pursuant to [Section 501\(c\)\(3\) of the Internal Revenue Code, 26 U.S.C., Section 501\(c\)\(3\)](#), which has maintained either a self-funded plan or a fully insured plan of coverage for the payment of expenses to or for members of the association for a period of ten (10) or more consecutive years and which coverage is provided to at least five hundred covered participants to establish and maintain a self-funded plan (§634(B)(5)).
- C. Any entity which claims to be exempt from state regulation pursuant to subsection B of this section shall provide to the Commissioner strict proof establishing such exemption (electronically filed through OPTins annually).

If you have additional questions regarding these matters, please contact Jeanette Pearce at (405) 521-6651 or [Jeanette.pearce@oid.ok.gov](mailto:Jeanette.pearce@oid.ok.gov).