**Section 2030.20 Definitions**

The following definitions shall apply to this Part:

"Applicant" means, in connection with an application for a health benefit plan or health insurance coverage, any person requesting coverage, including, with respect to a small employer, the employer's individual employees and their dependents.

"Carrier" or "health insurance issuer" means any entity that provides health insurance in this State. For the purposes of this Part, carrier includes a licensed insurance company, a prepaid hospital or medical service plan, a health maintenance organization, or any other entity providing a health benefit plan or health insurance coverage subject to State insurance regulation.

"Code" means the Illinois Insurance Code [215 ILCS 5].

"Department" means the Illinois Department of Insurance.

"Director" means the Director of the Illinois Department of Insurance.

"Health benefit plan" or "health plan" means any hospital or medical expense-incurred policy, hospital or medical service plan contract, or health maintenance organization subscriber contract. Health benefit plan shall not include individual, accident-only, credit, dental, vision, Medicare supplement, hospital indemnity, long term care, specific disease, stop loss or disability income insurance, coverage issued as a supplement to liability insurance, workers' compensation or similar insurance, or automobile medical payment insurance.

"Health insurance coverage", "individual health insurance coverage" and "individual market" shall have the meanings given the terms in the Illinois Health Insurance Portability and Accountability Act (Illinois HIPAA) [215 ILCS 97].

"Small employer" means, in connection with a group health plan with respect to a calendar year and a plan year, an employer who employed an average of at least 2 but not more than 50 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year.

Application of aggregation rule for small employers. All persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 (26 USC 414(b)) shall be treated as one employer.

Employers not in existence in preceding year. In the case of an employer that was not in existence throughout the preceding calendar year, the determination of whether the employer is a small employer shall be based on the average number of employees that it is reasonably expected the employer will employ on business days in the current calendar year.

Predecessors. Any reference in this Part to a small employer shall include a reference to any predecessor of that employer.

"Small employer carrier" means a carrier that offers health benefit plans covering employees of one or more small employers in this State.

"Small group market" means the health insurance market under which individuals obtain health insurance coverage (directly or through any arrangement) on behalf of themselves (and their dependents) through a group health benefit plan maintained by a small employer.