**Section 2002.30 Applicability**

a) This Part shall apply to any accident and sickness insurance "advertisement" as that term is hereinafter defined in Section 2002.40, unless otherwise specified in this Part, intended for presentation, distribution or dissemination in this State when such presentation, distribution or dissemination is made either directly or indirectly by or on behalf of an insurer, agent or broker as those terms are defined in the Insurance Code of this State and this Part. The Guideline for this subsection (a) is found in Appendix A, Illustration B.

b) Every insurer shall establish and at all times maintain a system of control over the content, form and method of dissemination of all advertisements of its policies. All such advertisements, regardless of by whom written, created, designed or presented, shall be the responsibility of the insurer whose policies are so advertised. The Guideline for this subsection (b) is found in Appendix A, Illustration C.

c) This Part shall apply to advertisements both inside and outside the Illinois Health Insurance Marketplace.  Policies and rates shall not be constructed or marketed in a way that discourages use of the Illinois Health Insurance Marketplace.  A certificate of compliance with this Part must be submitted annually to the Illinois Department of Insurance (Department) in accordance with Section 2002.180.

(Source: Amended at 38 Ill. Reg. 2124, effective January 2, 2014)