

MAINE STATE LEGISLATURE

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MAJORITY
INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 776, L.D. 1058, Bill, "An Act To Extend Public Record Requirements of Nongroup Health Insurance Rate Filings to All Health Insurance Rate Filings"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 24-A MRSA §2808-B, sub-§2, ¶A, as enacted by PL 1991, c. 861, §2, is amended to read:

A. A carrier issuing a small group health plan after the effective date of this section must file the carrier's community rate and any formulas and factors used to adjust that rate with the superintendent for informational purposes prior to issuance of any small group health plan. All filings must meet the requirements of paragraph G.

Sec. 2. 24-A MRSA §2808-B, sub-§2, ¶G is enacted to read:

G. Every rate filing made by a carrier must state the effective date of the filing. Every such filing must be made not less than 60 days in advance of the stated effective date unless the 60-day requirement is waived by the superintendent, and the effective date may be suspended by the superintendent for a period of time not to exceed 30 days. A rate filing and all supporting information are public records except as provided by Title 1, section 402, subsection 3. When a rate filing under this paragraph is not accompanied by the information upon which the insurer

2 supports the filing, the superintendent shall require the
3 insurer to furnish the information upon which it supports
4 the filing. Notwithstanding this paragraph, rates for group
5 Medicare supplement, nursing home care or long-term care
6 insurance contracts must be filed in accordance with section
7 2736.'

8
9 **SUMMARY**

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11 This amendment is the majority report of the committee. The
12 amendment clarifies that small group health plan rate filings are
13 public records except as provided by the freedom of access laws.
14 This language explicitly preserves the exception under the
15 current definition of a public record for trade secrets. The
16 amendment also removes references in the bill to public hearings.
17 Under current law and consistent with the bill's intent, small
18 group health insurance rate filings are not subject to a public
19 hearing or approval of the Superintendent of Insurance before
20 becoming effective. The amendment also makes changes to clarify
21 this requirement with the current community rating law for small
22 group carriers.