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Timeline for Non-Grandfathered Small Group Health Plan Filings

Background. As a result of the federal Affordable Care Act, carriers offering non-grandfathered small group health plans in this state may be subject to substantially differing filing deadlines depending upon whether the carrier is seeking certification of the plan as a Qualified Health Plan under the Affordable Care Act. This bulletin harmonizes state and federal filing deadlines in order to ensure, consistent with the purposes of both state and federal law to facilitate insurance competition, that no carrier may obtain an unfair competitive advantage as the result of a competing carrier's obligation to comply with federal filing deadlines. Accordingly, on a one-time basis only, the following timeline is established for rate and form filings for carriers offering non-grandfathered small group health plans in this state to be effective during 2014.

Timeline. All carriers offering small group health plans in this state, as defined in 24-A M.R.S.A. § 2808-B(1)(G), are requested to file their rates and forms with the Superintendent no later than July 1, 2013, including all supporting information, for all small group health plans with effective dates during calendar year 2014 that do not have grandfathered status under the federal Affordable Care Act.

Change in Federal Mechanisms. The July 1 filing deadline in this bulletin is premised on the current federal mechanisms pursuant to which carriers may only submit small group rate and form filings to be effective on an annual basis. If these mechanisms change and the federal government permits carriers to submit small group filings more frequently than annually, any carrier may make a new filing during calendar year 2014 in accordance with then-applicable federal and state law requirements.

May 20, 2013


Eric A. Cioppa
Superintendent of Insurance

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