STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

In re: MEGA LIFE AND HEALTH INSURANCE COMPANY RATES FOR INDIVIDUAL HEALTH PLANS Docket No. INS-08-1000	]]]]]]]	DECISION AND ORDER AFTER COMPLIANCE FILING

DISCUSSION

Title 24-A M.R.S.A. § 2736(1) requires that insurance carriers obtain the approval of the Superintendent of Insurance for proposed policy rates for non-group health insurance products. On May 5, 2008 and pursuant to § 2736(1), MEGA Life and Health Insurance Company ("MEGA") submitted a rate filing for its individual health products.

After hearing on October 3, 2008, the Superintendent issued a December 1, 2008 Decision and Order that, among other things:

a. Denied MEGA's requested rate changes;
b. Ordered MEGA to include in any revised filing rates for state plans complying with Bureau of Insurance Rule 940; and
c. Set forth rates the Superintendent would accept.

The December 1, 2008 Decision and Order's discussion of law and facts is incorporated herein by reference.

On December 19, 2008, MEGA made a compliance filing, requesting those rates the Superintendent indicated as acceptable in her December 1, 2008 Decision and Order, except for rates for MEGA's Mental Health Parity Benefit Rider Form 25945-IR ME when attached to Form 25876-IP ME. The Superintendent promptly inquired about the apparently noncompliant rates for MEGA's Mental Health Parity Benefit Rider Form 25945-IR ME when attached to Form 25876-IP ME, MEGA.

On January 8, 2009, in response to inquiry from the Superintendent, MEGA amended its December 19, 2008 compliance filing. The amendment eliminated an error in calculation that had made proposed rates for MEGA's Mental Health Parity Benefit Rider Form 25945-IR ME when attached to Form 25876-IP ME noncompliant with the Superintendent's December 1, 2008 Decision and Order.

FINDINGS

For reasons set forth in her December 1, 2008 Decision and Order, the Superintendent finds that MEGA's December 19, 2008 compliance filing, as amended by its January 8, 2009 filing regarding Mental Health Parity Benefit Rider Form 25945-IR ME, requests rates that are not excessive, inadequate, or unfairly discriminatory and that otherwise meet applicable standards for acceptance.

ORDER

Pursuant to the provisions of 24-A M.R.S.A. §§ 211 and 2736-B and authority otherwise conferred by law, the Superintendent hereby ORDERS:

a. MEGA's December 19, 2008 request for rates for individual health products, as amended by its January 8, 2009 filing regarding Mental Health Parity Benefit Rider Form 25945-IR ME, is APPROVED.

b. In any future filing, MEGA's rate calculations will employ a methodology for allocation of expenses that recognizes that not all expense items are directly related to premiums.

NOTICE of APPELLATE RIGHTS

This Decision and Order is final agency action as defined by 5 M.R.S.A. § 8002(4). It may be appealed to the Superior Court in the manner provided for by 24-A M.R.S.A. § 236, 5 M.R.S.A. §§ 11001 through 11008, and M.R. Civ.P. 80C. Any party to the proceeding may initiate an appeal within thirty days after receiving this notice. Any aggrieved non-party whose interests are substantially and directly affected by this Decision and Order may initiate an appeal within forty days of the issuance of this decision. There is no automatic stay pending appeal. Application for stay may be made in the manner provided in 5 ;M.R.S.A. § 11004.

Dated: January ___, 2009

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MILA KOFMAN
Superintendent of Insurance