**02-031**

**MAINE BUREAU OF INSURANCE**

2015 – 2016 Rule-making Agenda

August 2015

AGENCY UMBRELLA-UNIT NUMBER: **02-031**

AGENCY NAME:Department of Professional and Financial Regulation, **Bureau of Insurance**

**CONTACT PERSON:** Thomas M. Record, Esq., Senior Staff Attorney, 34 State House Station, Augusta, ME 04333-0034. Tel: (207) 624-8424, [Thomas.M.Record@Maine.gov](mailto:Thomas.M.Record@Maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**CONSENSUS-BASED RULE DEVELOPMENT:** None anticipated

**EXPECTED 2015-2016 RULEMAKING ACTIVITY:**

**Life Insurance and Annuities:**

## Amendment to CHAPTER 830: Valuation of Life Insurance Policies

## STATUTORY AUTHORITY: 24-A M.R.S. §§ 212, 953 and 957-A

## PURPOSE: to reflect changes to National Association of Insurance Commissioners (NAIC) Model Regulation

## ANTICIPATED SCHEDULE: fall 2015

## AFFECTED PARTIES: life insurers

**Health Insurance:**

**Amendment of Rule CHAPTER 191**: Health Maintenance Organizations

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212, 4218 and 4222-A

PURPOSE: to readopt still-relevant provisions of Rule Chapter 750 within this rule in conjunction with repeal of Rule Chapter 750.

ANTICIPATED SCHEDULE: winter 2015-16

AFFECTED PARTIES: health maintenance organizations

**Repeal of Rule CHAPTER 750**: Standardized Health Plans

STATUTORY AUTHORITY: (Part 1)24 M.R.S. Chapter 19, and Title 24-A M.R.S. §§ 212, 2736-C(6)(F), 2736-C(8), 4222-A and 4222-B.

**(**Part II 24-A M.R.S. §§ 212, 4202-A(1) and 4204(2-A)(O)

PURPOSE: to reflect 2011 PL c. 90 and the *Affordable Care Act*; to be done in conjunction with amendment of Rule Chapter 191.

ANTICIPATED SCHEDULE: winter 2015-16

AFFECTED PARTIES: health insurers, individual health insurance purchasers

**Amendment to Rule CHAPTER 940**: Requirements for Health Insurance Rate Filings and Data Reporting

STATUTORY AUTHORITY: 24 M.R.S.A. §2321 and 24‑A M.R.S.A. §§ 212, 405-A(2)(E), 2413, 2736, 2736-C, 2808-B, 2839, 4207, and 4309-A

PURPOSE: to reflect changes in the process for health insurance rating and rate filings resulting from rules adopted under the *Affordable Care Act*.

ANTICIPATED SCHEDULE: fall 2015

AFFECTED PARTIES: health insurers

**Amendment to Rule CHAPTER 945**: Annual Report Supplement for Health Insurers

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 423-D

PURPOSE: to coordinate with the recently developed Supplemental Exhibit filed with Annual Statements as part of the *Affordable Care Act* data collection efforts.

ANTICIPATED SCHEDULE: fall 2015

AFFECTED PARTIES: health insurers

**NEW RULE**: Navigator Certification and Training for Health Benefit Exchanges

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 2188

Purpose: to reflect 2011 PL c. 90 and 2013 PL c. 388 by establishing certification and training requirements for persons serving as navigators to health benefit exchanges.

ANTICIPATED SCHEDULE: winter 2015-16

AFFECTED PARTIES: navigators

**NEW RULE**: Insurance Carrier Medical Provider Profiling Programs

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 4303-A.

PURPOSE: to reflect 2013 PL c. 383 by establishing requirements for the disclosure of profiling program data by a carrier to a medical provider.

ANTICIPATED SCHEDULE: fall 2015

AFFECTED PARTIES: health insurers, medical providers

**NEW RULE**: Health Plan Explanations of Benefits

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 4303(13)

PURPOSE: to establish the minimum information and standards for explanation of benefits forms used by carriers.

ANTICIPATED SCHEDULE: winter 2015-16

AFFECTED PARTIES: health insurers

**Financial Regulation of Insurers:**

**Amendments to CHAPTER 180**: Insurance Holding Company Systems

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 222

PURPOSE: to update the rule in light of 2013 PL c. 238.

ANTICIPATED SCHEDULE: fall 2015

AFFECRTED PARTIES: domestic insurers and their controlling interests

**Amendments to CHAPTER 730**: Standards for Acceptance of Reinsurance of Workers’ Compensation Self-Insurance

STATUTORY AUTHORITY: Title 24-A M.R.S.A. §§ 212, 222, 410, 412, 413, 421, 422, and 731-B, and Title 39-A M.R.S.A. §403

PURPOSE: to conform to statutory changes regarding certified reinsurers and make miscellaneous technical updates.

ANTICIPATED SCHEDULE: pending

AFFECTED PARTIES: workers’ compensation self-insurers and reinsurers

**Amendments to CHAPTER 740**: Credit for Reinsurance

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 731-B

PURPOSE: to update in light of changes to national standards.

ANTICIPATED SCHEDULE: pending

AFFECTED PARTIES: insurers

**Miscellaneous:**

**Amendments to CHAPTER 920**: Reporting of Fraudulent Insurance Acts

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 2186

PURPOSE: to update current reporting form and instructions to address ambiguities.

ANTICIPATED SCHEDULE: pending

AFFECTED PARTIES: insurers

**Amendment to CHAPTER 545**: Producer License and Appointment Renewal Fees – Nonresident Individual Producers and Business Entities

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 601

PURPOSE: to lower insurance producer license and appointment fees

ANTICIPATED SCHEDULE: fall 2015

AFFECTED PARTIES: insurance producers and insurers

**NEW RULE**: Premium Trust Account Fiduciary Duties

STATUTORY AUTHORITY: 24-A M.R.S.A. §§ 212 and 1449

PURPOSE: to prescribe minimum standards and requirements regarding the fiduciary obligations of insurance producers

ANTICIPATED SCHEDULE: fall 2015

AFFECTED PARTIES: insurance producers