

**State of Rhode Island and Providence Plantations**  
**OFFICE OF THE HEALTH INSURANCE COMMISSIONER**  
**1511 Pontiac Avenue, Bldg. #69**  
**Cranston, RI 02920**

**CONCISE EXPLANATORY STATEMENT FOR ADOPTION OF OFFICE OF THE  
HEALTH INSURANCE COMMISSIONER REGULATION 8**

**MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS**

This regulation is issued pursuant to the authority vested in the commissioner under R.I. Gen. Laws §§ 27-18.2-1 *et seq.*, 27-29-1 *et seq.*, and 42-62-12. Although this is an adoption, a prior version of this regulation had been incorporated from the Department of Business Regulation. This new regulation is based on the most recent model provided by the National Association of Insurance Commissioners (NAIC). The changes to this proposed regulation from the previous NAIC model are listed below.

- **Section 4** - Definition (M) was added and it provides a definition for “pre-standardized” plans.
- **Section 4** - Definition (N) was added and it provides a definition for ”1990 standardized plans”
- **Section 4** - Definition (O) was added and it provides a definition for “2010 standardized plans”
- **Section 4** - Definition (P) was added and it provides a definition for “Health Insurance Commissioner”
- **Section 6** - There are only small changes to cross-references and stylistic changes.
- **Section 7** - (A)(3) added a reference to “copayment” or “coinsurance”
- **Section 8** - (A)(3) A reference to “copayment” or “coinsurance” was added.
- **Section 8** - (A)(8) added transition standards which permit companies to offer existing policyholders the opportunity to exchange their current policy for a new policy without medical underwriting.
- **Section 8** - (B)(3) added language requiring providers to accept the issuer’s payment as payment in full.
- **Section 8.1** - This section is new and was added to provide standards for governing “2010 standardized plans” effective on or after June 1, 2010. This section is intended to be similar to Section 8, which governs “1990 standardized plans” and has been placed next to Section 8 for ease of reference.
- **Section 8.1** - (B)(6) this section describes the new hospice benefit, which was created to be a part of the basic (Core) benefits.

- **Section 8.1** - (C) In contrast to the standards for the “1990 Standardized Additional Benefits”, there are no standards for the following benefits which have been eliminated or (in case of the prescription drug benefits) are no longer applicable: 80% Coverage of the Part B Excess Charge, basic Outpatient Prescription Drug benefit, Extended Outpatient Prescription Drug benefit, Preventive Medical Care Benefit, At-Home Recovery benefit.
- **Section 9.1** - This section is new and was added to provide standards for all modernized “2010 standardized” policies effective on or after June 1, 2010.
- **Section 9.1** - (E) the make-up of Plans D and G have changed. The make-up for new Plans M and N have also been added. In addition, there are no standards for the make-up of Plans E, H, I, and J as those plans have been eliminated.
- **Section 9.1** - (E)(8-9) the full description of the benefits contained in Plans K and L have been added to this section.
- **Section 9.1** - (F) the language describing new or innovative benefits has been updated slightly from the version in Section 9.
- **Section 17** - The benefit chart following this section was updated to reflect the new “2010 standardized plan” designs and benefits. The chart for the “1990 standardized plan” has been deleted. The disclosures and detailed plan charts have also been updated to reflect the new 2010 standardized plan designs and benefits.
- **Section 24** - This section was added to conform to the genetic Information Discrimination Act of 2008 (GINA).
- **Section 24** - (J) the definitions included here are for the purposes of Section 24 only.
- **Section 25** - The old Section 24 was renumbered as Section 25.
- **Section 26** - The old section 25 was renumbered as Section 26.
- **Section 4 Chart**- has been added
- **Section 5 Chart**- has been added