

**State of Rhode Island and Providence Plantations
OFFICE OF THE HEALTH INSURANCE COMMISSIONER
1511 Pontiac Avenue, Building 69-1
Cranston, RI 02920**

**NOTICE OF PROPOSED AMENDMENTS TO REGULATION
AND NOTICE OF PUBLIC HEARING**

Notice is hereby given, in accordance with R.I.G.L. §§ 42-14-5, 42-14-17, 42-14.5-1 *et seq.*, and 42-35-3, that the Office of the Health Insurance Commissioner (“OHIC”) proposes to amend the following Regulation:

**OHIC REGULATION 11 – SMALL EMPLOYER HEALTH INSURANCE
AVAILABILITY REGULATION**

The Proposed Amendments to the Small Employer Health Insurance Availability Regulation propose revisions to the following sections of the Regulation:

- The Table of Contents. Section 13 is deleted and the remaining sections are renumbered.
- Section 1. Statement of Authority and Purpose. An additional statutory reference is included.
- Section 5. Rate Manual and Restrictions Relating to Premium Rates. These amendments conform the Regulation to the legislative amendments to the Small Employer Health Insurance Availability Act, Chapter 27-50 G.L.R.I., including the elimination of medical underwriting, limitations on the use of age rating, family composition rating, rules governing coverage provided to the Rhode Island Builders Association, limitations on the annual increase attributable to age and gender, a requirements that rating factors be consistently applied, standards for premium discounts or rebates offered for participation in programs of health promotion and disease prevention, notice to single subscribers, and provision of a Renewal Explanation Form.
- Section 6. Requirement to Insure Entire Group. The amendment includes the statutory requirement to provide coverage for employees on extended medical leave, makes reference to a special enrollment rights form, and deletes an obsolete reference to certification tools.
- Section 12. Annual Filings. These amendments make the Regulation consistent with the current rate filing, review and approval process, includes OHIC’s actuarial review in the rate filing record, clarifies a carrier’s annual obligation to file an actuarial certification with OHIC and to make an information filing relating to plan enrollment, contracts, members premium and paid claims.
- Section 13. Deleted former Section 13 and renumbered remaining sections.
- Renumbered Section 13. Wellness Health Benefit Plan – the HEALTHpact Plan. These amendments delete references to past events.
- Renumbered Section 14. Severability.
- Renumbered Section 15. Effective Date. An effective date for the amendments is included.

- Appendix J. This appendix is a revised Renewal Explanation Form for small employers.

The remainder of the Proposed Amendments are changes to grammar and form.

Notice is also hereby given, in accordance with R.I. Gen. Laws § 42-35-3, that the Office of the Health Insurance Commissioner will hold a public hearing beginning at 10:00 a.m. on May 5, 2011 in the Conference Room in Building 73-1 of the RI Dept of Labor and Training, 1511 Pontiac Avenue, Cranston, RI 02920, regarding the Proposed Amended Regulation.

Copies of the Proposed Amendments are on file at the Office and copies may be obtained from the Office during normal working hours on regular business days or by mail upon request. The Proposed Amendments may also be obtained from the Office's website www.ohic.ri.gov

In the development of the Proposed Amendments, consideration was given to overlapping approaches, overlap and duplication with other statutory and regulatory provisions and economic impact on small business and cities and towns.

All interested persons may submit their views, data or arguments regarding the proposed Regulation, including information relating to alternative approaches, duplication or overlap with other state rules or regulations and the economic impact of the proposed Regulation on small business and/or cities and towns, orally at the public hearing or in writing, either by delivering the same in person or United States mail with postage pre-paid thereon to the Office of the Health Insurance Commissioner, 1511 Pontiac Ave., Building 69-1, Cranston, RI 02920, attention Herbert W. Olson, Legal Counsel, or by e-mail to HealthInsInquiry@ohic.ri.gov

ALL WRITTEN SUBMISSION MUST BE RECEIVED NOT LATER THAN May 5, 2011 AT 10:00 A.M.

The hearing room is accessible to the handicapped. Individuals requesting interpreter services for the hearing impaired must notify the Office at (401) 462-9517 or TDD 711 not less than ninety-six (96) hours in advance of the hearing date.



Christopher Koller
Health Insurance Commissioner