

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

IN RE: )  
)  
ANTHEM BLUE CROSS AND BLUE )  
SHIELD 2011 INDIVIDUAL RATE )  
FILING FOR HEALTHCHOICE, )  
HEALTHCHOICE STANDARD )  
AND BASIC, HEALTHCHOICE HDHP, )  
HMO STANDARD AND BASIC, AND )  
LUMENOS CONSUMER DIRECTED )  
HEALTH PLAN PRODUCTS )  
)  
Docket No. INS-11-1000 )

DECISION AND ORDER

By Decision and Order issued May 12, 2011, Superintendent of Insurance Mila Kofinan disapproved Anthem Blue Cross and Blue Shield's ("Anthem") request for approval of its rate filing for 2011 individual HealthChoice, HealthChoice Standard, HealthChoice Basic, HealthChoice HDHP, HMO Standard, HMO Basic, and Lumenos Consumer Directed Health Plan products. As required by law, the Superintendent specified the revised rate filing she would approve and authorized Anthem to submit a new filing in accordance with the terms of the Decision and Order.

By the May 12, 2011, Decision and Order, the Superintendent reduced the total average rate increase proposed in Anthem's filing of 9.7% to a total average rate increase of 5.2% that would be approved. Anthem made a new filing on May 16, 2011, without waiving its rights to appeal, requesting approval of a 5.2% total average rate increase for its individual health insurance products. Consistent with the terms of the Superintendent's Decision and Order, Anthem's May 16 filing seeks approval of (a) no rate change for the Mandated HealthChoice options, and (b) an average rate increase of 5.3%, with the specific increases ranging from 3.1% to 13.2%, for the Non-Mandated HealthChoice, HealthChoice HDHP, HMO Standard, HMO Basic, and Lurnenos Consumer Directed Health Plan options.

The Superintendent finds that Anthem's May 16, 2011, filing with new rate sheets is consistent with the terms of the May 12, 2011, Decision and Order.<sup>1</sup> Pursuant to 24-A M.R.S.A. §§ 2736 and 2736-B, the Superintendent hereby APPROVES the May 16, 2011, filing and rate sheets for implementation effective on and after July 1, 2011.

Pursuant to 24-A M.R.S. § 235(4), this Decision and Order affirms the Superintendent's May 12, 2011, Decision and Order, and hereby incorporates

the May 12, 2011, Decision and Order. This Decision and Order, affirming and incorporating the May 12, 2011, Decision and Order, is final agency action of the Superintendent of Insurance, within the meaning of the Maine Administrative Procedure Act, 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.

**PER ORDER OF THE SUPERINTENDENT OF INSURANCE**

May 18, 2011

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MILA KOFMAN  
Superintendent of Insurance

<sup>1</sup> In section IV(I) of the Decision and Order Anthem was directed to correctly identify future rate sheets, including those sent to HealthChoice HDHP policyholders notifying them of the final 2011 rates. The Superintendent explained that an appropriate label would be "Rates per Contract by Benefit Option for Grandfathered and Non-Grandfathered Plans." The Superintendent inadvertently failed to make this change in Attachment B to the Decision and Order. Anthem is advised to make the appropriate correction to the rate sheets that will be sent to policyholders in this regard. Additionally, Attachment B3 to the Decision and Order is labeled "Rates per Contract by Benefit Option for Sponsored Dependents." Upon further consideration, the Superintendent hereby advises Anthem that a more appropriate label would be "Rates per Contract by Benefit Option for Children 19 and Under" - which Anthem accordingly should use as the label for Attachment C to its compliance filing.