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Governor

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



Robert L. Carey
Superintendent

Bulletin 482

**Suspension of Enforcement of Certain Provisions
of Rule Chapter 850**

The Superintendent of Insurance has decided to suspend enforcement of certain provisions of Bureau of Insurance Rule Chapter 850 that require insurance companies offering health plans in Maine to include employee names and titles on notices of consumer appeal decisions.¹

This decision stems from employee safety concerns raised by insurance companies that are subject to Rule 850's notice requirements. Accordingly, we are not currently enforcing the requirement in Rule 850 § 8(G)(1)(c)(i) that health care treatment appeal decisions include "[t]he names, titles and qualifying credentials of the person or persons evaluating the appeal" or the requirement in Rule 850 § 9(B)(2)(b)(i) that benefit denials that do not involve health care treatment decisions include "[t]he names, titles and qualifying credentials of the person or persons participating in the first level grievance review process (the reviewers)."

Although enforcement of these identification provisions is suspended, insurance carriers are still required to note the qualifying credentials of the person(s) evaluating the appeal and attest that the appeal reviewer was not involved in the initial adverse determination, unless additional information not previously considered during the initial review is provided on appeal.

Carriers are also still required to provide consumers with the name, address, and telephone number of a person within the company who has been designated to coordinate their appeals. This information is provided in the letter insurance companies send to acknowledge receipt of a consumer appeal.²

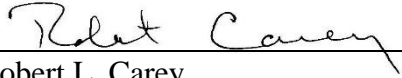
Carriers must continue to ensure that any Maine consumer who contacts them about an appeal denial notice will be able to reach a company employee with knowledge of the appeal. This person should be able to discuss the appeal's status and provide any next steps a consumer may need to take.

¹ These requirements of Rule 850 and this suspension of enforcement apply only to "carriers" offering "health plans" as those terms are defined in 24-A M.R.S. § 4301-A.

² See Rule 850 §§ 8(G)(1)(iv) and 9(B)(2).

Amendments to Rule 850 are under consideration by the Maine Legislature, and we plan to raise this issue with the Health Coverage, Insurance and Financial Services Committee. This suspension of enforcement will remain in place until further notice.

January 24, 2025


Robert L. Carey
Superintendent of Insurance

NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Bureau of Insurance if additional information is needed.