

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

In re:	)	
	)	
ANTHEM BLUE CROSS AND BLUE SHIELD	)	
2006 RATE FILINGS FOR COMPANION PLAN	)	
PRODUCTS	)	DECISION AND ORDER
	)	
Docket No. INS-05-800	)	
	)	

**Introduction**

By Decision and Order dated November 15, 2005, Deputy Superintendent Judith M. Shaw denied the request of Anthem Blue Cross and Blue Shield ("Anthem") for approval of its rate filing for 2006 Companion Plan products but granted Anthem an opportunity to submit a revised filing consistent with five specific findings and conclusions set forth in Part V of the November 15 ruling. Anthem made a revised filing, on November 17, 2005. The revised filing provides for rates ranging from 4.8% to 10.1%, depending upon the benefit design of the plan selected. The average proposed rate increase is 8.9%.

After examination of Anthem's November 17, 2005 revised rate filing, the Bureau of Insurance posed two questions to the Company. One question concerned a small percentage rise in Anthem's administrative expense charge. The other question concerned adjustment of a required rebate calculation, which the Attorney General also noted and alleged to be inconsistent with the Deputy Superintendent's November 15, 2005 Decision and Order.

**Findings and Conclusions**

The Deputy Superintendent finds that, with regard to the rebate adjustment calculation, Anthem's revised filing is not inconsistent with the November 15, 2005 Decision and Order. That Decision and Order did not specifically address whether such an adjustment would be appropriate. With regard to both the rebate adjustment calculation and the raised administrative expense charge, the Deputy Superintendent finds, without conceding the necessity for either feature, that those features of the revised filing have a negligible effect on the ultimate issue of whether the revised filing as a whole meets the standards for approval set forth in Part III of the Deputy Superintendent's November 15, 2005 Decision and Order. Considered within the context of Anthem's filing as revised pursuant to the November 15, 2005 Decision and Order, those features are not an obstacle to concluding that Anthem has met its burden of proof in this case.

## **Order**

Pursuant to 24-A M.R.S.A. §§ 2736 and 2736-B, the Deputy Superintendent hereby ORDERS that Anthem's revised rate filing of November 17, 2005 is APPROVED, effective January 1, 2006.

### **Notice of Appeal Rights**

This Decision and Order is a final agency action 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 in 24-A M.R.S.A. § 236, 5 M.R.S.A. §§ 11001 through 11007 and M. R.Civ. P. SOC. Any party to the proceeding may initiate an appeal within thirty (30) days after receiving this Decision and Order. Any aggrieved non-party whose interests are substantially and directly affected by this Decision and Order may initiate an appeal within forty (40) days of the date of the Decision and Order. There is no automatic stay pending appeal. Application for a stay must be made in the manner provided for in 5 M.R.S.A. § 11004.

### **PER ORDER OF THE DEPUTY SUPERINTENDENT OF INSURANCE**

DATED: November 18, 2005

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JUDITH M. SHAW  
Deputy Superintendent of Insurance