

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

IN RE:	)	
	)	
HARVARD PILGRIM HEALTH CARE,	)	<b>DECISION AND ORDER</b>
INC. 2018 INDIVIDUAL HMO RATE	)	<b>APPROVING COMPLIANCE</b>
FILING	)	<b>FILING</b>
	)	
Docket No. INS-17-1001	)	

By Decision and Order issued August 10, 2017, Superintendent of Insurance Eric Cioppa disapproved Harvard Pilgrim Health Care, Inc.'s ("Harvard Pilgrim") rate filing for 2018 individual rates. As required by Bulletin 422, Harvard Pilgrim filed two sets of rates for review, one that assumed that reimbursement for the cost-sharing reductions would be funded in 2018 (the "Base Filing") and one that assumed that cost-sharing reductions would not be funded in 2018 (the "Unreimbursed Filing"). Harvard Pilgrim submitted revisions to both its Base and Unreimbursed Filings on July 14, 2017, the deadline established by Bulletin 423 for carrier-initiated revisions to rate filings.

The Superintendent concluded that both Harvard Pilgrim's revised Base Filing and its revised Unreimbursed Filing were excessive. Pursuant to 24-A M.R.S. § 2736-B, the Superintendent disapproved the filings but authorized Harvard Pilgrim to submit revised rates, and specified that he would approve rates with the following changes: (1) change the morbidity adjustment from 15.9% to 14.0% in both the Base and Unreimbursed Filings; and (2) continue to offer the Best Buy Bronze HMO HSA 5400 in areas outside the Maine's Choice service area for both the Base and Unreimbursed Filings.

Harvard Pilgrim made a new rate filing on August 18, 2017, purporting to modify its initial submissions in accordance with the August 10 Decision and Order. After review, the Superintendent finds that Harvard Pilgrim's August 18 rate filing is consistent with the terms of the August 10 Decision and Order. Pursuant to 24-A M.R.S. §§ 2736 and 2736-B, the Superintendent hereby APPROVES the August 18 filing and rate sheets. Harvard Pilgrim may implement the new rates beginning January 1, 2017, provided that it provides 30 days' prior notice to affected policyholders.

Pursuant to 24-A M.R.S. § 235(4), this Decision and Order affirms the Superintendent's August 10, 2017 Decision and Order, and hereby incorporates that Decision and Order. This 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. § 8002(4). It may be appealed to the Superior Court in the manner provided for by 24-A M.R.S. § 236, 5 M.R.S. §§ 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. § 11004.

PER ORDER OF THE SUPERINTENDENT OF INSURANCE

September 1, 2017

  
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ERIC A. CIOPPA  
Superintendent of Insurance