**02-031**

Department of Professional and Financial Regulation

**MAINE BUREAU OF INSURANCE**

Rulemaking Agenda November 2019

AGENCY UMBRELLA-UNIT NUMBER: **02-031**

AGENCY NAME: Department of Professional and Financial Regulation, **Bureau of Insurance**

**CONTACT PERSON**: Benjamin Yardley, Senior Staff Attorney, 34 State House Station, Augusta, ME 04333-0034. Tel: (207) 624-8537. E-mail: [Benjamin.Yardley@Maine.gov](mailto:Benjamin.Yardley@Maine.gov) .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None

**CONSENSUS-BASED RULE DEVELOPMENT**: None anticipated

**EXPECTED 2019-2020 RULEMAKING ACTIVITY**:

**Health Insurance**

New Rule: **Chapter 210**, Standards for Prescription Benefit Managers

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 4348(8)

PURPOSE: to establish requirements applicable to pharmacy benefit managers consistent with legislation enacted as PL 2019, ch. 469, *An Act To Protect Consumers from Unfair Practices Related to Pharmacy Benefits Management*

ANTICIPATED SCHEDULE: Winter 2020

AFFECTED PARTIES: health insurers and prescription benefit managers

Amended Rule: **Chapter 425**, Long Term Care Insurance

STATUTORY AUTHORITY: 24 M.R.S.A. §2316 and 24-A M.R.S.A. §§ 212 and 5078

PURPOSE: to increase the prior notice to policyholders of rate increases from 60 to 90 days prior to the approved rate increase, to amend reporting requirements and to reflect changes in rating standards consistent with June 2014 amendments to the National Association of Insurance Commissioners Model Regulation

ANTICIPATED SCHEDULE: Spring 2020

AFFECTED PARTIES: long term care insurers and policyholders

New Rule: **Chapter 820**, Explanation of Benefits

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 4303(13)

PURPOSE: to establish the minimum information and standards for explanation of benefits forms used by carriers that offer health plans in Maine

ANTICIPATED SCHEDULE: Spring 2020

AFFECTED PARTIES: health insurers

Amended Rule: **Chapter 850**, Health Plan Accountability

STATUTORY AUTHORITY: 24-A M.R.S. §§ 2772, 2774, 4218, 4218-A, 4222-A, 4303, 4309, and 4309-A.

PURPOSE: to make routine technical amendments that conform Chapter 850 to changes made to the Health Plan Improvement Act by legislation enacted during the First Regular Session of the 129th Maine Legislature, as directed by this legislation

ANTICIPATED SCHEDULE: Winter 2020

AFFECTED PARTIES: health insurers, health care providers, and policyholders

New Rule: **Chapter 942**, Rating Factors and Loss Ratio Requirements for Health Plans

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212, 2736-C(2)(D), 2808-B(2)(D), and 4319(4)

PURPOSE: to establish standards for age rating and for compliance with medical loss ratio requirements for health plans

ANTICIPATED SCHEDULE: Spring 2020

AFFECTED PARTIES: health insurers and policyholders

Amended Rule: **Chapter 945**, Annual Report Supplement for Health Insurers

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 423-D

PURPOSE: to coordinate with the recently developed Supplemental Exhibit filed with Annual Statements as part of the Affordable Care Act data collection efforts

ANTICIPATED SCHEDULE: Spring 2020

AFFECTED PARTIES: health insurers

**Financial Regulation of Insurers**

New Rule: Term and Universal Life Insurance Reserve Financing

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 731-B

PURPOSE: to adopt the National Association of insurance Commissioners Term and Universal Life Insurance Reserve Financing Model Regulation

ANTICIPATED SCHEDULE: Winter 2020

AFFECTED PARTIES: Life insurers and reinsurers

New Rule: Requirements for Eligibility to Operate a Multiple Employer Welfare Arrangement

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 6616

PURPOSE: to establish standards and procedures for employers to follow to establish and maintain eligibility to operate a multiple employer welfare arrangement in Maine ANTICIPATED SCHEDULE: Spring 2020

AFFECTED PARTIES: self-insured employers and stop-loss insurers

**Property and Casualty Insurance**

New Rule: **Chapter 175**, "Private Passenger Motor Vehicle Definition" for Rental Vehicle Coverage

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 2927

PURPOSE: to clarify the types of vehicles that a personal motor vehicle policy must cover when the vehicle is rented by an authorized driver under the policy

ANTICIPATED SCHEDULE: Winter 2020

AFFECTED PARTIES: personal lines motor vehicle insurers and producers

Amended Rule: **Chapter 250**, Requirements of Eligibility to Self-Insure Workers' Compensation Benefits

STATUTORY AUTHORITY: 24-A M.R.S. § 212 and 39-A M.R.S. §403

PURPOSE: to update standards and procedures for employers to establish and maintain eligibility to self-insure their Maine workers' compensation risks

ANTICIPATED SCHEDULE: Fall 2020

AFFECTED PARTIES: employers self-insured for workers' compensation