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Bulletin 2010-12

TO: **Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc. and Health Maintenance Organizations ("Carriers") Offering or Renewing Insured Health Products in the Merged Small Group/Nongroup Market in Massachusetts and to Licensed Producers, Intermediaries and Other Distribution Channels That Market Such Products in Massachusetts**

FROM: **Joseph G. Murphy, Commissioner of Insurance**

DATE: **November 12, 2010**

RE: **Notification to Residents about Open Enrollment Periods**

This Bulletin highlights amendments to the Massachusetts Small Group Health Insurance law, Massachusetts General Laws Chapter 176J, pursuant to Section 26 of Chapter 288 of the Acts of 2010, as amended by Chapter 359 of the Acts of 2010. The amendments, effective December 1, 2010, specify among other things, the times during which an eligible individual can enroll in an individual health plan, including specified open enrollment periods for certain individuals.

After November 30, 2010, eligible individuals who do not meet the standards for immediate enrollment into an individual health plan will be able to apply for and purchase coverage only during the following open enrollment time periods:

- 2011: January 1-February 15 and July 1-August 15
- 2012 and thereafter: July 1-August 15

As this is a significant change in the market place, the Division expects all licensed carriers offering or renewing coverage to eligible small employers and eligible individuals to notify accounts, insureds and prospective insureds that continuous open enrollment ceases for many eligible individuals on November 30 and that those individuals who do not qualify for special rules will need to wait until the new statutory open enrollment periods to enroll for health coverage. The Division expects all carriers to notify all accounts, insureds and prospective

insureds immediately of the new open enrollment periods by posting notices on the carriers' communications vehicles including carrier websites, newsletters, marketing and promotional materials. The Division also expects carriers to have their customer calling centers prepared to handle consumer calls.

If there are any questions regarding this bulletin, please contact the Division of Insurance at (617) 521-7794.