



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
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HEALTH
DRAFT Filing Guidance Notice 2024-I
Dental Rate Filings

TO: Commercial Insurance Companies, Blue Cross and Blue Shield of Massachusetts, Inc., and Dental Service of Massachusetts, Inc. (collectively, "Dental Carriers")

FROM: Kevin Beagan, Acting Commissioner of Insurance

DATE: June 24, 2024

RE: Further Guidance about Dental Rate Filings Required under M.G.L. c. 176X ("Dental Benefit Plans")

This notice provides guidance to Dental Carriers regarding the submission of dental rate filings for stand-alone insured dental plans to the Massachusetts Division of Insurance ("Division") as required under 211 CMR 156.06. Dental Carriers are expected under 211 CMR 156.06 to submit rate filing materials for all dental products offered in Massachusetts to individuals, group associations, and employment-based groups.

Individual Guaranteed Renewable Policies

According to section 2(c) of M.G.L. c. 176X, "[C]arriers offering dental benefit plans, including carriers licensed under chapters 175, 176B, 176E, 176G or 176I, shall file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year, on or before July 1 of the preceding year." In prior guidance, the Division has identified that the July 1, 2024 filing date impacts 2025 rates and coverage.

The Division has become aware that there are certain Dental Carriers that did issue individual stand-alone policies of dental insurance in Massachusetts, but these policies are no longer being marketed or newly issued in Massachusetts. These individual policies were issued with a guaranteed renewal clause, which guarantees the individual policyholder the right to renew the dental coverage so long as the individual pays the policy premium. These so-called "closed blocks" of dental coverage will no longer be issued to new members, but they may be renewed on

and after January 1, 2025 because of the policy conditions that grant the individual the right to renew the product.

This guidance clarifies that Dental Carriers that only have “closed blocks” of dental policies are not considered to be “offering” dental plans on or after January 1, 2025, and such Dental Carriers thus are not subject to the provisions of 211 CMR 156.00. However, Dental Carriers that continue to offer insured dental plans on or after January 1, 2025 are subject to the provisions of 211 CMR 156.00 for all products issued or renewed after that date, and this shall apply to all products that are being actively marketed, and also to all coverage that is closed to new issuance but is renewed according to the provisions of the policy.

If you have any questions regarding this Filing Guidance Notice, please contact Kevin Beagan at kevin.beagan@mass.gov