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NOTICE OF HEARING

Pursuant to M.G.L. c. 30A and the authority granted to the Commissioner of Insurance (“Commissioner”) under M.G.L. c. 175, c. 176A, c. 176B, c. 176D, c. 176E, c. 176F, c. 176G, c. 176I, c. 176J, c. 176O, and c. 176T, a hearing will be held at 10:00 a.m. on July 26, 2016, at the Division of Insurance (“Division”), Hearing Room 1-E, 1000 Washington Street, Boston, Massachusetts. The purpose of the hearing is to afford all interested persons an opportunity to provide oral and written statements regarding eight regulations that are the subject of proposed amendments or rescission. The docket number assigned to each regulation and a description of the proposed actions to be taken follow.

Docket No. G2016-17

211 CMR 38.00. Coordination of Benefits. The regulation establishes a uniform order for payment of health insurance claims when a person is covered by more than one plan that includes health benefits. Any plan that includes a provision for coordination of benefits must comply with the regulation. The Division’s proposed amendments, which are primarily based on a Model Regulation on Coordination of Benefits developed by the National Association of Insurance Commissioners, update, reorganize and clarify the regulation.

Docket No. G2016-18

211 CMR 43.00. Health Maintenance Organizations. The regulation addresses the administration and operations of health maintenance organizations authorized by M.G.L. c. 176G. The Division proposes to amend the regulation to simplify administration by reducing regulatory duplication and enabling the Division, when possible, to obtain HMO reporting information from sources other than the particular regulated party.

Docket No. G2016-19

211 CMR 51.00. Preferred Provider Health Plans and Workers’ Compensation Preferred Provider Arrangements. The regulation addresses the administration and operations of preferred provider arrangements authorized by M.G.L. c. 176I. The Division proposes to amend the regulation to reduce the administrative burdens on such plans by providing greater flexibility with respect to their statutorily required reporting requirements.

Docket No. G2016-20

211 CMR 52.00. Managed Care Consumer Protections and Accreditation of Carriers. The regulation provides managed care standards for health insurance through accreditation and procedures applicable to managed care health insurance carriers. The Division proposes to

amend 211 CMR 52.00 to implement requirements mandated by the federal Affordable Care Act and Massachusetts legislative changes to the managed care statutes.

Docket No. G2016-21

211 CMR 63.00. Young Adult Health Benefit Plans. The regulation defines health insurance coverage provided by young adult health benefit plans authorized by M.G.L. c. 176J, §10. The federal Affordable Care Act (“ACA”) has now preempted Massachusetts programs providing coverage to an age-defined risk pool. The Division therefore proposes to rescind 211 CMR 63.00.

Docket No. G2016-22

211 CMR 66.00. Small Group Health Insurance. The regulation sets out the rules and procedural requirements for health plans offered by carriers in the Massachusetts small group/individual merged health insurance market pursuant to M.G.L. c. 176J. The Division proposes to amend the regulation as necessary to conform it to statutory changes, many of which result from gradual implementation of the federal ACA since 2012.

Docket No. G2016-23

211 CMR 148.00. Registration and Reporting Requirements for Third Party Administrators. The regulation sets forth registration and reporting requirements for third party administrators (“TPAs”). The Division proposes to amend the regulation to simplify those requirements by enabling the Division, when possible, to obtain TPA reporting information from sources other than the particular regulated party.

Docket No. G2016-24

211 CMR 155.00. Risk Bearing Provider Organizations. The regulation sets certification and reporting requirements for Risk Bearing Provider Organizations (“RBPOs”). The Division proposes to amend the regulation to delete references to the transition period for RBPOs and, among other things, to place all RBPOs on an annual certification schedule and to enable the Division to monitor risk associated with Medicare products except for Medicare Advantage products.

The proposed regulations may be inspected in the Division’s offices during normal business hours or viewed on the Division’s website, www.mass.gov/doi. Persons who wish to present unsworn oral or written statements at the July 26, 2016 hearing are asked to submit a notice of intent to comment no later than July 22, 2016. Other persons who wish to speak will be heard after those who notify the Division in advance. The hearing record will remain open for a week after conclusion of the July 26, 2016 hearing to receive any additional written statements.

All notices and submissions must refer to the Docket Number(s) for the particular regulation(s) that the person intends to address. Notices and submissions in hard copy may be sent by mail to the Docket Clerk, Hearings and Appeals, Division of Insurance, at the address above or by electronic mail to doidocket.mailbox@state.ma.us.

June 14, 2016

Daniel R. Judson
Commissioner of Insurance