COMMONWEALTH OF MASSACHUSETTS
DIVISION OF INSURANCE

470 Atlantic Avenue • Boston, MA 02210-2223
(617) 521-7794 • FAX (617) 521-7770
TTY/TDD (617) 521-7490

WILLIAM F. WELD
GOVERNOR

ARGEO PAUL CELLUCCI
LIEUTENANT GOVERNOR

LINDA RUTHARDT
COMMISSIONER

Bulletin 97-08

To: Issuers Offering Medicare Supplement Insurance
HMOs Offering Evidences of Coverage Issued Pursuant to a Risk or Cost Contract

From: Commissioner Linda Ruthardt

Re: Required Open Enrollment Period To Be Held September 15, 1997 through November 14, 1997 Pursuant to M.G.L. c. 176K

Date: July 16, 1997

The purpose of this bulletin is to inform all issuers offering Medicare Supplement insurance policies and HMOs offering evidences of coverage issued pursuant to a risk or cost contract that are subject to the provisions of M.G.L. c. 176K that such carriers must participate in a required open enrollment period pursuant to M.G.L. c. 176K, sections (2)(b) and 3(g), as well as 211 CMR 71.10(6). This open enrollment period is scheduled to start on September 15, 1997 and continue through November 14, 1997.

The Division has scheduled this open enrollment period because it has been notified by the federal Health Care Financing Administration (HCFA) that HCFA's risk contract with Pilgrim Health Care, Inc. will no longer be in effect as of January 1, 1998. The Pilgrim Health Care Inc. (Pilgrim) risk contract product has been marketed under the name *Prime 65*. Pilgrim ceased new sales of its *Prime 65* product as of May 1, 1997.

This open enrollment period is available to all persons who are covered under a Pilgrim *Prime 65* evidence of coverage as of September 14, 1997 and who meet the definition of Eligible Person found in 211 CMR 71.03. Carriers must make available all Medicare Supplement policies or Evidences of Coverage currently available from the carrier to these individuals. Coverage must be effective on January 1, 1998; provided, however, that if the carrier can accommodate an earlier effective date and the applicant chooses to have coverage with that carrier start before January 1, 1998, an effective date prior to January 1, 1998 is acceptable.

Any questions regarding this bulletin should be directed Kevin Beagan, Director of the Health Unit of the State Rating Bureau at (617) 521-7347.

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