



# STATE OF CONNECTICUT

## INSURANCE DEPARTMENT

(via eRegulation system)

March 8, 2016

Susan Halpin  
Connecticut Association of Health Plans  
280 Trumbull St., 27<sup>th</sup> Floor  
Hartford, CT 06103  
Re: Proposed Amendments to the Individual and Small Group Rate and Form Filing Requirements

Dear Ms. Halpin:

Thank you for your submitted comments relating to the proposed amendments to the Rate Review regulations. In order to best address them, I will discuss them in the order in which they were submitted.

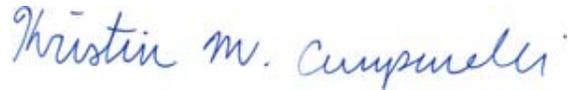
- 1.) 38a-481-1(11) – definition of “unfairly discriminatory” is vague–Thank you for your comments requesting further clarification of this definition. The Department declines to accept this suggestion. In the interest of consumer protection, the Department intentionally left this definition flexible so that the Department may make a case by case determination of whether a rate filing is unfairly discriminatory. The Department notes that these regulations solely refer to the statutory authority granted under 38a-481 which only refers to individual filings, as such, the rules do not apply to the large group market.
- 2.) 38a-481-5(b) – 30 day notice period – Thank you for your comments requesting expansion of this time frame from 30 days to 60 days. The department declines to accept this suggestion. The 30 day requirement is a requirement for notice in writing. The Department has historically provided ample notice and guidance to plans on upcoming rate filings. The Department works collaboratively with the plans on filings and maintains an open line of dialogue so plans often receive much more than 30 days notice of requirements for rate filings. The 30 day limit gives the Department flexibility to adapt to any changes required by the Federal Government and still get written notice to plans 30 days in advance.
- 3.) 38a-481-all sections – “plans subject to the requirements of PPACA” - Thank you for your comments requesting further clarification of this definition. The Department declines to accept this suggestion. In this case, the legal authority to draft regulations under 38a-481 is clear. The statutory authority granted under 38a-481 only refers to individual filings, and as such, the rules do not apply to the large and small group market.
- 4.) 38a-481-7(e) – approval by the Department -We have made the requested changes.

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5.) 38a-481-8(a)(3)(A) – removal of nationwide data request- Thank you for your comments requesting removal of the Department’s ability to request nationwide data. The department declines to accept this suggestion. The Department often relies on nationwide data when state specific data is not available or is not reliable as an important foundation in reviewing rates. The Department needs the flexibility to request this data in order to adequately perform its duties of rate review.

Sincerely,

A handwritten signature in blue ink that reads "Kristin M. Campanelli". The signature is written in a cursive style and is positioned above a horizontal line.

Kristin M. Campanelli  
Counsel, Connecticut Insurance Department



**STATE OF CONNECTICUT**  
*INSURANCE DEPARTMENT*

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March 8, 2016

Lanell Allen

Re: Proposed Amendments to the Individual and Small Group Rate and Form Filing Requirements

Dear Ms. Allen:

Thank you for your submitted comments relating to the applicability of the various sections differing by product in the proposed amendments to the Rate Review regulations. We have made your requested changes.

Sincerely,

A handwritten signature in blue ink that reads "Kristin M. Campanelli".

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Kristin M. Campanelli  
Counsel, Connecticut Insurance Department