

**TITLE 365. INSURANCE DEPARTMENT
CHAPTER 10. LIFE, ACCIDENT AND HEALTH**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Minimum Standards; Contract Guidelines
Part 13. Medicare Supplement Insurance Minimum Standards
365:10-5-123. Definitions [AMENDED]
365:10-5-127.1. Benefit standards for 2010 Standardized Medicare Supplement Benefit Plan policy or certificates issued for delivery on or after June 1, 2010 [AMENDED]
365:10-5-128.2. Standard Medicare Supplement Benefit Plans for 2010 Standardized Medicare Supplement Benefit plan Policies or Certificates issued for delivery on or after June 1, 2010. [AMENDED]
365:10-5-128.4. Standard Medicare Supplement Benefit Plans for 2020 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issues for Delivery to Individuals Newly Eligible for Medicare on or After January 1, 2020 [NEW]
365:10-5-132. Filing and approval of policies and certificates and premium rates [AMENDED]

SUMMARY:

The amendment to 365:10-5-123 adds the word “plan” to the defined term “Medicare Advantage”.

The amendment to 365:10-5-127.1 is amended to correct the section referenced in 365:2510-127.1(b)(5)(D).

The amendment to 365:10-5-128.2 adds language to include Standard Medicare Supplement Benefits Plans for 2020 Standardized Medicare Supplement Benefit Plan Policies or Certificates to benefit Plan G.

365:10-5-128.4 is a new subsection which addresses Standard Medicare Supplement Benefit Plans for 2020 Standardized Medicare Supplement Benefit Plan Polices or Certificates issued for delivery to individuals newly eligible for Medicare on or after January 1, 2020.

The amendment to 365:10-5-132 adds subsection (g) providing that an issuer will not present a Medicare supplement policy rate structure for filing or approval based on attained age rating as a structure or methodology.

AUTHORITY:

Insurance Commissioner, 36 O.S. §§ 307.1, 3611.1

COMMENT PERIOD:

Written or oral comments regarding the proposed rule amendments shall be received on or before 5:00 p.m. on March 22, 2019. Comments shall be directed to Sara A. Worten, Assistant General Counsel, Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112.

PUBLIC HEARING:

A public hearing regarding the proposed rule amendments will be held March 26, 2019, at 10:00 a.m. at the Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Sara A. Worten Assistant General Counsel, Oklahoma Insurance Department, at the mailing address above on or before 5:00 p.m. on March 22, 2019

COPIES OF PROPOSED RULES:

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Copies of the rules may also be inspected and obtained on the Insurance Department's website at www.ok.gov/oid.

RULE IMPACT STATEMENT:

A rule impact statement will be available on and after February 15, 2019, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above, and will be available on the Insurance Department's website at www.ok.gov/oid.

CONTACT PERSON:

Sara A. Worten Assistant General Counsel, (405) 522-6350.