

**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
365:10-5-129.1.	Guaranteed Issue for eligible persons [AMENDED]
365:10-5-132.	Filing and approval of policies and certificates and premium rates [AMENDED]
Appendix C.	Rescission Reporting Form for Long-Term Care Policies [REVOKED]
Appendix C.	Rescission Reporting Form for Long-Term Care Policies [NEW]
Appendix F.	Credit Insurance [REVOKED]
Appendix F.	Credit Insurance [NEW]
Appendix H.	Inventory Credit Life and Disability Presumptive Rates [REVOKED]
Appendix H.	Inventory Credit Life and Disability Presumptive Rates [NEW]
Appendix J.	Credit Life Insurance Experience Report [REVOKED]
Appendix J.	Credit Life Insurance Experience Report [NEW]
Appendix K.	Credit Disability Insurance Experience Report [REVOKED]
Appendix K.	Credit Disability Insurance Experience Report [NEW]
Appendix M.	Credit Disability Insurance Experience Report [REVOKED]
Appendix M	Credit Disability Insurance Experience Report [NEW]
Appendix N.	Credit Life Insurance Experience Reconciliation to State Page [REVOKED]
Appendix N.	Credit Life Insurance Experience Reconciliation to State Page [NEW]
Appendix O.	Credit Disability Insurance Experience Reconciliation to State [REVOKED]
Appendix O.	Credit Disability Insurance Experience Reconciliation to State [NEW]
Appendix QQ.	External Review Request Form [REVOKED]
Appendix QQ.	External Review Request Form [NEW]
Appendix RR.	Application for Registration as an Independent Review Organization [REVOKED]
Appendix RR.	Application for Registration as an Independent Review Organization [NEW]
Appendix SS.	Independent Review Organization External Review Annual Report Form [REVOKED]
Appendix SS.	Independent Review Organization External Review Annual Report Form [NEW]
Appendix TT.	Health Carrier External Review Annual Report Form [REVOKED]
Appendix TT.	Health Carrier External Review Annual Report Form [NEW]

**SUMMARY:**

The amendment to 365:10-5-129.1(e)(5) clarifies that Medicare supplement insurance due to disability falls within guaranteed issue. Additionally, Medicare supplement C and F are replaced with D and G plans. The other changes at 365:10-5-129.1(e) are to correct citations.

The amendment to 365:10-5-132 amends the language to subsection 365:10-5-132(g) providing that an issuer shall not present a Medicare supplement policy rate structure for filing or approval based on attained age rating greater than one year after the age 67. After the age of 90, a rate structure with groupings of attained ages greater than one year is allowed.

The amendments to the appendices update the Insurance Department's address, the date, or both.

**AUTHORITY:**

Insurance Commissioner, 36 O.S. §§ 307.1, 3611.1, 4427, 6475.12

**COMMENT PERIOD:**

Written or oral comments regarding the proposed rule amendment shall be received on or before 5:00 p.m. on March 23, 2020. Comments shall be directed to Sara A. Worten, Assistant General Counsel, Oklahoma Insurance Department, 400 Northeast 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105.

**PUBLIC HEARING:**

A public hearing regarding the proposed rule amendments will be held March 25, 2020, at 10:00 a.m. at the Oklahoma Insurance Department, 400 Northeast 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105.

**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 23, 2020.

**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](http://www.ok.gov/oid).

**RULE IMPACT STATEMENT:**

A rule impact statement will be available on and after February 18, 2020, 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](http://www.ok.gov/oid).

**CONTACT PERSON:**

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