## SENATE BILL 769

C3 3lr2049

By: Senators Raskin, Madaleno, and Montgomery

Introduced and read first time: February 1, 2013

Assigned to: Finance

## A BILL ENTITLED

1 AN ACT concerning

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## Health Benefit Plans - Proposed Rate Increases - Notice to Insureds

- FOR the purpose of requiring health insurance carriers that file a proposed rate increase for a health benefit plan with the Maryland Insurance Commissioner to send certain notice in a certain manner to insureds affected by the proposed rate increase; authorizing the notice to be sent by electronic mail under certain circumstances; authorizing the Commissioner to adopt certain regulations; defining a certain term; and generally relating to notice of proposed rate increases for health benefit plans.
- 10 BY adding to
- 11 Article Health General
- 12 Section 19–706(0000)
- 13 Annotated Code of Maryland
- 14 (2009 Replacement Volume and 2012 Supplement)
- 15 BY adding to
- 16 Article Insurance
- 17 Section 15–140
- 18 Annotated Code of Maryland
- 19 (2011 Replacement Volume and 2012 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 21 MARYLAND, That the Laws of Maryland read as follows:
- 22 Article Health General
- 23 19–706.

$\frac{1}{2}$	(0000) THE PROVISIONS OF § 15–140 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.
3	Article – Insurance
4	15–140.
5	(A) IN THIS SECTION, "CARRIER" MEANS:
6	(1) AN INSURER;
7	(2) A NONPROFIT HEALTH SERVICE PLAN;
8	(3) A HEALTH MAINTENANCE ORGANIZATION;
9	(4) A DENTAL PLAN ORGANIZATION; OR
10 11	(5) ANY OTHER PERSON THAT PROVIDES HEALTH BENEFIT PLANS SUBJECT TO REGULATION BY THE STATE.
12	(B) AT THE TIME OF FILING A PROPOSED RATE INCREASE FOR A
13	HEALTH BENEFIT PLAN WITH THE COMMISSIONER, A CARRIER SHALL SENI
14	WRITTEN NOTICE TO EACH INSURED AFFECTED BY THE PROPOSED RATE
15	INCREASE THAT:
16	(1) THE CARRIER HAS FILED A PROPOSED RATE INCREASE FOR
17	THE INSURED'S HEALTH BENEFIT PLAN WITH THE COMMISSIONER; AND
18	(2) THE INSURED MAY COMMENT ON THE PROPOSED RATE
19	INCREASE BY SUBMITTING COMMENTS TO THE COMMISSIONER:
20	(I) DURING THE 30-DAY PUBLIC COMMENT PERIOD AFTER
21	THE RATE INCREASE IS FILED; AND
22	(II) IN THE MANNER PROVIDED FOR ON THE
23	ADMINISTRATION'S WEB SITE.
24	(C) IF A CARRIER HAS AN ELECTRONIC MAIL ADDRESS FOR AN INSUREI
25	AFFECTED BY A PROPOSED RATE INCREASE FOR A HEALTH BENEFIT PLAN, THE
26	CARRIER MAY PROVIDE THE NOTICE REQUIRED BY SUBSECTION (B) OF THIS
27	SECTION TO THE INSURED BY ELECTRONIC MAIL.

**(D)** THE COMMISSIONER MAY ADOPT REGULATIONS TO IMPLEMENT 29 THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.