

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Rule Information

DAR file no:		Date filed:	
State Admin Rule Filing Key:	157206		
Utah Admin. Code ref. (R no.):	R590-167-11		

Agency Information

1. Agency: INSURANCE - Administration
- Room no.: 3110
Building: STATE OFFICE BLDG
Street address 1: 450 N MAIN ST
Street address 2:
City, state, zip: SALT LAKE CITY UT 84114-1201
Mailing address 1: PO BOX 146901
Mailing address 2:
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name:	Phone:	Fax:	E-mail:	Remove:
Steve Gooch	801-538-3803	801-538-3829	sgooch@utah.gov	

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Title

2. Title of rule or section (catchline):
Actuarial Certification and Additional Filing Requirements

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
The change is being made to avoid conflicts with sections 31A-30-106, 31A-30-106.1 and 31A-30-105, as well as Actuarial Standard of Practice 26.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
No Yes

Rule Summary

6. Summary of the rule or change:
The changes being made to the rule will require that a carrier's actuarial certification only applies to grandfathered plans, requires only identification of the carrier's classes rather than a description for rate manual filings, and eliminates the index premium rate requirement.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:
A) State budget:
Affected: No Yes

There are no anticipated costs or savings to the state budget. The changes being made to the rule bring it into alignment with current industry practices.

B) Local government:

Affected: No Yes

There are no anticipated cost or savings to local government. The changes being made to the rule bring it into alignment with current industry practices.

C) Small businesses:

Affected: No Yes

("small business" means a business employing fewer than 50 persons)

There are no anticipated cost or savings to small businesses. The changes being made to the rule bring it into alignment with current industry practices.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No Yes

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

There are no anticipated cost or savings to any other persons. The changes being made to the rule bring it into alignment with current industry practices.

Compliance Cost Information

8. Compliance costs for affected persons:

There are no compliance costs for any affected persons. The changes being made bring the rule into alignment with current industry practices.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This rule change will result in no fiscal impact to any businesses. Insurers are already acting according to the new criteria as a matter of course. We are amending the rule so it aligns with current industry practices.

B) Name and title of department head commenting on the fiscal impacts:

Todd E. Kiser, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :
Subsection 31A-2-201(3)(a), Subsection 31A-30-106(1)(k), Subsection 31A-30-106.1(10)

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

<p>Official Title of Materials Incorporated (from title page)</p> <p>Publisher</p> <p>Date Issued (mm/dd/yyyy)</p> <p>Issue, or version (including partial dates)</p> <p>ISBN Number</p> <p>ISSN Number</p> <p>Cost of Incorporated Reference</p> <p>Adds, updates, removes-- SELECT ONE --</p>

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing

by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

03/16/2016

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

03/23/2016

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, one term per field, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
health insurance

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title: Steve Gooch
Information Specialist

Date (mm/dd/yyyy): 02/01/2016