

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, MAY 4, 2017

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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. INS-2017-00050

Ex Parte: In the matter of presentations
of premium rates in connection with health
insurance coverage issued in the individual
and small group markets

ORDER DIRECTING PRESENTATIONS

In accordance with Virginia Code § 38.2-316.1, the State Corporation Commission ("Commission") reviews and approves premium rates applicable to health benefit plans issued in Virginia in the individual and small group markets, as those terms are defined in Virginia Code § 38.2-3431. Additionally, pursuant to Virginia Code § 38.2-326, the Commission, with the assistance of the Virginia Department of Health, performs plan management functions required to certify health benefit plans and stand-alone dental plans for participation in the federal health benefit exchange ("FHBE") established by the Secretary of the U.S. Department of Health and Human Services ("HHS") pursuant to § 1321 of the Patient Protection and Affordable Care Act codified at 42 U.S.C. § 18041. Recommendations by the Commission's Bureau of Insurance ("Bureau") to HHS for the certification of Qualified Health Plans ("QHP") on the FHBE in 2018 must be completed by August 16, 2017.

The Commission has historically delegated to the Bureau its authority to review and approve premium rates for health benefit plans issued in the individual and small group markets. Given the importance of the cost of health insurance to Virginia's small businesses and individuals (many of whom are self-employed), the Commission reviews closely, prior to approval, rates for health insurance that may represent a significant impact on small businesses and individuals.

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Accordingly, prior to the Bureau's recommendation of QHP certification to HHS, and prior to finalizing both form and rate approvals for the related products for sale and use in Virginia both inside the FHBE as well as outside the FHBE, the Bureau is directed to coordinate for the Commission presentations by participating insurance companies on premium rates for health benefit plans. Each presentation shall include an overview representing the range of rate impact or change for identified products proposed to be offered in the individual and small group markets for use as of January 1, 2018. The Bureau shall contact all companies offering health benefit plans in Virginia in the individual and small group markets and develop a proposed schedule for each company's presentation on July 25, 2017. The Bureau is further directed to detail for each such company the format and minimum scenarios that should be developed for presentation as well as to provide a preliminary list of factors that the Bureau believes may likely drive rates that should be covered in the presentation.¹ These companies should also address the outlook for future rate changes and steps being taken or anticipated to control rate increases. At the conclusion of each company's presentation, the Bureau may offer additional comments.

Accordingly, IT IS ORDERED THAT:

(1) Starting at 9:30 a.m. on July 25, 2017, the Commission will receive premium rate impact presentations in the Commission's courtroom, second floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.

(2) The Bureau shall coordinate for the Commission insurance company presentations that will provide an overview representing the range of rate impact or change for identified products proposed to be offered in the individual and small group markets for use as of January 1, 2018.

(3) On or before June 26, 2017, the Bureau shall contact those companies that are offering health benefit plans in Virginia in the individual and small group markets to notify them of the format and minimum scenarios that should be developed for presentation and a

¹ Each company may add additional rate driver factors to its presentation.

preliminary list of factors that the Bureau believes may be likely rate drivers that should be covered through the presentation.

(4) The companies shall attend and make presentations as designated by the Bureau and shall also address the outlook for future rate changes and steps being taken or anticipated to control rate increases.

(5) An attested copy of this Order forthwith shall be sent by the Bureau to each company offering health benefit plans in Virginia in the individual and small group markets.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Kiva Bland Pierce, Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 202 N. 9th Street, Floor 8, Richmond, Virginia 23219-3424; and a copy hereof shall be delivered to the Commission's Office of General Counsel and the Bureau of Insurance in care of Deputy Commissioner Julie S. Blauvelt.