

# Arkansas Insurance Department

Mike Beebe  
Governor



Jay Bradford  
Commissioner

BULLETIN NO. 5-2013

TO: ALL LICENSED INSURERS, HEALTH MAINTENANCE ORGANIZATIONS (HMOs), FRATERNAL BENEFIT SOCIETIES, FARMERS' MUTUAL AID ASSOCIATIONS OR COMPANIES, HOSPITAL MEDICAL SERVICE CORPORATIONS, NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, PRODUCER AND COMPANY TRADE ASSOCIATIONS, AND OTHER INTERESTED PARTIES

FROM: ARKANSAS INSURANCE DEPARTMENT

SUBJECT: FILING GUIDANCE FOR INDIVIDUAL AND SMALL GROUP HEALTH AND DENTAL PLANS IN ARKANSAS

DATE: March 7, 2013

The purpose of this Bulletin is to respond to frequently asked questions from carriers regarding the filing requirements for non-grandfathered health benefit plans and dental plans in the small employer or individual markets with plan or policy years beginning on or after January 1, 2014.

The timeline for submitting rate and form filings for non-grandfathered health plans to the Arkansas Insurance Department (AID) for approval to be used for plan year 2014 (subject to any pending federal changes) is as follows:

- **March 1, 2013:** Insurers start contacting Health Insurance Oversight System (HIOS) to receive their Issuer and Plan Identification numbers. Additional training for HIOS may be offered. Visit <http://www.regtap.info> for more information.
- **Second week of March, 2013** (pending completion of System Testing): Insurers may register for training with SERFF to learn to submit filings and utilize Qualified Health Plan (QHP) Templates. This training is expected to last through April, 2013. Information can be found at <http://www.serff.com/hix.htm>.
- **March 8, 2013:** Deadline to notify AID of intent to participate in the Exchange.
- **March 28, 2013 – June 30, 2013:** Health issuers wishing to participate in the Exchange should submit Qualified Health Plan (QHP) and company applications during this time period.
- **May 15, 2013 – June 30, 2013:** Stand alone dental issuers wishing to participate in the Exchange should submit applications together with rate and form filings during this time period.

- **July 31, 2013:** Certification recommendations for QHP issuers and QHPs will be forwarded to the Center for Consumer Information and Insurance Oversight (CCIIO).
- **Spring – Fall 2013:** Non-Exchange health and dental plans may be filed. Please provide enough time for state review pending planned marketing for 2014 plan year.
- **Late August 2013:** Health and dental issuers applying for Exchange certification will be given an opportunity to address any data errors during this Plan Preview Period. CCIIO has noted that any changes made to plans during this time period may jeopardize certification.
- **Early September 2013:** CMS will notify all Issuers of the QHP Certification decision and complete the certification agreement in early September 2013.
- **October 1, 2013 – March 31, 2014:** Exchange is open for annual enrollment.

All filings are required to be made within SERFF. Individual and small group filings must be submitted under separate SERFF tracking numbers. These filings must meet the standards listed in [Bulletin 9-2010](#). Additionally, any changes to a prior approved policy, rider or amendment or to the current filing in response to an objection should provide a redlined version of all changes. The filing descriptions should contain information detailing the differences between any cost sharing or metal tier variations being submitted.

Issuers will be allowed to either submit new plans or amend previously approved non-grandfathered plans in order to meet the additional essential health benefit requirements. Non-grandfathered plans not meeting all Affordable Care Act (ACA) requirements that are not being replaced with new plans complying with ACA will need to be amended for renewals for policy years and plan years that begin on or after January 1, 2014 to include the essential health benefits and to fit into one of the required actuarial and cost sharing levels.<sup>1</sup> The submission of bronze, platinum, and catastrophic level filings are not required and are at the issuer's discretion.

Plans that are being filed for QHP certification must meet the QHP requirements as detailed in Bulletin 3-2013. For plans sold outside of the Exchange, health issuers offering a health plan with an imbedded dental benefit must also file a matching health plan excluding the dental benefit if a stand alone pediatric dental product, or dental product containing pediatric dental, is offered outside of the Exchange. Health issuers not including the dental benefit are not required to submit any additional plans to include the dental benefit if a stand alone pediatric dental product, or dental product containing pediatric dental, is offered outside of the Exchange.

Multiple metal and cost sharing levels may be submitted in the same SERFF filing. Schedule pages for each cost-sharing level within a metal and/or metal plan filings must have a unique form number and cannot contain variable material. The filing description must contain a description of the metal and/or cost sharing levels utilized and to which forms those levels relate.

If the company chooses to use a previously approved form, the filing description should include the approved contract form number and the SERFF tracking number under which the contract form was approved. The

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<sup>1</sup> The preamble to the final federal regulations states “standards relating to EHB and AV will apply to all health insurance issuers offering non-grandfathered coverage in the individual and small group markets – both inside and outside of the Exchanges.” See 45 C.F.R. pts, 147, 155, 156.

previously approved form(s) must also be attached to the Supporting Documentation tab for the Department's reference.

Filing requirements will be updated in SERFF as necessary.

We thank you for your cooperation and look forward to working with you to ensure this process works as smoothly as possible. If you have any questions or comments, please call the Compliance Division at 501-371-2800 or email us at [insurance.LnH@arkansas.gov](mailto:insurance.LnH@arkansas.gov).



JAY BRADFORD, COMMISSIONER  
ARKANSAS INSURANCE DEPARTMENT

3/19/2013

DATE