

Idaho - Carrier Acknowledgement & Consent to Publishing of Rate Information & Determination

Please print or type Carrier's full legal name and address:

Carrier	
Address	
Signature	
Name	
Title	
Consent Date	

Idaho Code §§ 41-5206(4)(c) and 41-4706(5)(c) expressly prohibit the Director of the Idaho Department of Insurance (Director) from disclosing Individual and Small Group premium rate information (Information) submitted by each carrier for review by the Idaho Department of Insurance (Department), unless the carrier agrees or a court orders. The Idaho Code considers this Information Proprietary and Trade Secrets. Rate filing information submitted pursuant to the above sections may also be exempt from public disclosure under Idaho Code §§ 9-340D(1) (trade secret information) and 9-340C(5) (examination, operating, or condition reports and all documents related thereto). This Information does not include otherwise published information, such as carrier name, telephone number, and address; such information is not subject to the Idaho Code restrictions.

The Patient Protection and Affordable Care Act (PPACA) and its rate review implementing regulations (PPACA Rate Review Regulations) expressly provide at 45 CFR 154.301(b) that any state with an effective rate review program must provide, for public comment, access on its website to the information in Parts I, II and III of the Preliminary Justification that a carrier must submit to the federal Centers for Medicare and Medicaid Services (CMS) in connection with a proposed rate increase subject to the PPACA Rate Review Regulations. Because the State of Idaho desires to provide an effective rate review program for carriers licensed in this state, the Department is requesting consent to publish and provide for public comment access on its website to the information required in Parts I, II and III of a Preliminary Justification for a proposed rate increase specified in the PPACA Rate Review Regulations at 45 CFR 154.215. Alternatively, the Department will link to the Part I, II and III information from the CMS website and provide the public with an opportunity to comment. To facilitate the public release of the Part III Actuarial Memorandum and posting of Part III to the CMS website, carriers are required to upload two versions: a version that contains all the data elements and information required by the CMS manual with no redactions and the public version that redacts any information that is a trade secret or confidential commercial or financial information. Following its review, the Department will share its determination and brief analysis with CMS, which information will also be available to the public.

By signing, and submitting via SERFF, this consent the above carrier grants the Department permission to, and acknowledges that the Department will, publish and provide website access to the information required in Parts I, II and III (redacted) of a Preliminary Justification (either by linking to the information on the CMS website or by making information filed with the Department publicly available) for a proposed rate increase as specified in 45 CFR 154.215 in order to receive public comment on a proposed rate increase. Additionally, the above named carrier acknowledges that the Department will, and grants its consent for the Department to, provide its determination of whether a rate increase is unreasonable and a brief explanation of its analysis to CMS and the public. This consent does not change or alter Idaho law related to the Director's authority to review rate filings in accordance with Idaho Code Sections 41-2136, 41-3420, and 41-3915.