

IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

18.01.73 – RULE TO IMPLEMENT THE INDIVIDUAL HEALTH INSURANCE AVAILABILITY ACT PLAN DESIGN

DOCKET NO. 18-0173-1701 (CHAPTER REPEAL)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 41-211 and 41-5211, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 20, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rule provides specifics for the plan design of five individual health plans to be offered through the Idaho Individual High Risk Reinsurance Pool (Pool), per Chapter 55, Title 41, Idaho Code. Revisions to Chapter 55, effective July 1, 2017, have eliminated the requirement and the need to design specific products for the Pool, which, going forward, will likely function as a reinsurance mechanism for individuals with certain health conditions enrolled in major medical individual health insurance plans available market-wide. IDAPA 18.01.73 is no longer necessary for the effectuation of Title 41, Idaho Code as Chapter 55, Title 41, Idaho Code, no longer provides for individuals to be enrolled in unique high risk pool plans. The approximately 50 individuals grandfathered into these plans prior to the 2017 legislation will be renewed into these plans, if they desire, without modification to plan design. Therefore, rules for design of these plans are obsolete as no new such plans will be created. This rulemaking proposes to repeal this rule.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 5, 2017, Idaho Administrative Bulletin, [Volume 17-7, p. 68](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Wes Trexler, weston.trexler@doi.idaho.gov (208) 334-4315.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered either by hard copy or via email to the same email address for questions set forth above on or before September 27, 2017.

DATED this 31st day of July, 2017.

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IDAPA 18.01.73 IS BEING REPEALED IN ITS ENTIRETY