

## IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

### 18.01.70 – RULES GOVERNING SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT PLAN DESIGN

DOCKET NO. 18-0170-1801

#### NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(3), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 41-211 and 41-4715, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

**PUBLIC MEETING**  
**Monday, July 23, 2018 – 3:00 pm**

**Idaho Department of Insurance**  
**700 W. State Street – 3rd Floor**  
**Boise, ID 83720**

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

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the agency either in writing (paper or email) or by calling the phone number listed below, and/or by attending the public meeting.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

**DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This rulemaking follows House Concurrent Resolution 45 adopted in 2018 and some meetings that have already occurred with the Department of Insurance. Health insurers have not covered hearing aids for children based on exclusionary language in this rule addressing the small group market. We seek to revise language of Section 016 related to exclusions for hearing aids to provide an exception for medically necessary treatment for a congenital anomaly. (This rule is a companion rule to that affecting the individual insurance market IDAPA 18.01.30.)

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, submission of comments, or to obtain a preliminary draft copy of the rule text, contact Weston Trexler at [weston.trexler@doi.idaho.gov](mailto:weston.trexler@doi.idaho.gov), or (208) 334-4315. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Insurance web site at the following web address: [www.doi.idaho.gov](http://www.doi.idaho.gov).

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the above contact and must be delivered on or before July 27, 2018.

DATED this 8th day of June, 2018.

Dean L. Cameron, Director  
Idaho Department of Insurance  
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Phone: (208) 334-4250 / Fax: (208) 334-4398