

# IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

DOCKET NO. 18-ZBRR-2101

## NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), 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, 41-1025, 41-1302, 41-1842, 41-1940, 41-2141, 41-2210, 41-2314, 41-4404, 41-5820, 41-5904, 41-5911, Idaho Code.

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

<b>Thursday, June 17, 2021 2:00 p.m. to 4:00 p.m. (MT)</b>
<b><i>In-Person Meeting:</i> Department of Insurance 700 W State St, 3rd Floor Boise, ID 83702</b>
<b><i>WebEx teleconference:</i> <a href="https://idahogov.webex.com/webappng/sites/idahogov/meeting/download/443b2edb753544d7a57245390377da2d?siteurl=idahogov&amp;MTID=m77e0f67b9358f6becf042899d12bbfcc">https://idahogov.webex.com/webappng/sites/idahogov/meeting/download/443b2edb753544d7a57245390377da2d?siteurl=idahogov&amp;MTID=m77e0f67b9358f6becf042899d12bbfcc</a></b>

The meeting site(s) 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:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting in person or via web conferencing. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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:

These rules are being presented for authorization as part of the DOI's plan to review each rule every 5 years. Other than changes noted below, there are no specific rulemaking changes planned by the DOI at this time except for evaluation and amendment consistent with the Governor's [Executive Order 2020-01: Zero-Based Regulation](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. The DOI intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

The following rule chapters are germane to this rulemaking:

- 18.02.01 – *Insurance Rates and Credit Rating;*
- 18.03.01 – *Suitability in Annuity Transactions* – Provisions codified in statute, rule to expire;
- 18.03.05 – *Credit Life and Credit Disability Insurance;*
- 18.04.01 – *Health Carrier External Review;*

- 18.04.02 – *Rule to Implement Uniform Coverage for Newborn and Newly Adopted Children;*
- 18.04.07 – *Restrictions on Discretionary Clauses in Health Insurance Contracts;*
- 18.04.09 – *Complications of Pregnancy;*
- 18.04.10 – *Medicare Supplement Insurance Standards;*
- 18.06.04 – *Continuing Education;* and
- 18.07.07 – *Credit for Reinsurance Rules* – Provisions codified in statute, rule to expire.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Weston Trexler, (208) 334-4214, [weston.trexler@doi.idaho.gov](mailto:weston.trexler@doi.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department’s web site at the following web address: <https://doi.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 23, 2021.

DATED this May 12, 2021.

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