

**TITLE 365. INSURANCE DEPARTMENT
CHAPTER 40. HEALTH MAINTENANCE ORGANIZATIONS (HMO)**

INTENDED RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3.	Financial
Part 3.	Holding Company System
365:40-3-14.	Prior approval pursuant to 36 O.S. § 6903(C) [AMENDED]
Subchapter 5.	Life, Accident and Health Division and Consumer Assistance and
Claims Division Rules	
Part 1.	General Provisions
365:40-5-2.	Form filings [NEW]

SUMMARY:

The amendment to Section 365:40-3-14 requires submission of items required pursuant to 36 O.S. § 6903(C)(5) and (6) to the Rate and Form Compliance Division of the Oklahoma Insurance Department and requires an Amended Registration Statement (HMO Form B) to be filed for all items approved by the Insurance Commissioner. The amendment also provides that approvals granted under other administrative rules of the Insurance Department will not be superseded nor transactions occurring prior to July 14, 2010.

A new Section 365:40-5-5 requires all group and individual contract forms and evidence of coverage or amendments thereto to be filed electronically for approval before use pursuant to 36 O.S. §§ 6903(C)(5) and (6) and 6908(E),(F) and (G). An appropriate fee shall accompany the filings, which must be filed with the Rate and Form Compliance Division of the Oklahoma Insurance Department.

AUTHORITY:

Insurance Commissioner, 36 O.S. §§ 307.1 and 6903(D)

COMMENT PERIOD:

Written or oral comments regarding the proposed rule amendment shall be received on or before February 16, 2010. Comments shall be directed to Melanie Pouncey, Staff Attorney, Oklahoma Insurance Department, P.O. Box 53408, Oklahoma City, Oklahoma 73152-3408.

PUBLIC HEARING:

A public hearing regarding the proposed rule amendment will be held February 25, 2010, at 9:30 a.m. at the Oklahoma Insurance Department, 2401 N.W. 23rd Street, Suite 28, Oklahoma City, Oklahoma 73107.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Melanie Pouncey, Staff Attorney, Oklahoma Insurance Department, at the mailing address above on or before February 16, 2010.

COPIES OF PROPOSED RULES:

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Additional copies of the rules may also be obtained at the Oklahoma Insurance Department.

RULE IMPACT STATEMENT:

A rule impact statement will be prepared prior to January 15, 2010, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above.

CONTACT PERSON:

Melanie Pouncey, Staff Attorney, (405) 521-2746.