



# OFFICE OF INSURANCE AND SAFETY FIRE COMMISSIONER

**JOHN W. OXENDINE**  
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BEFORE THE COMMISSIONER OF INSURANCE  
STATE OF GEORGIA

## **NOTICE OF INTENT TO ADOPT RULE CHANGES AND NOTICE OF HEARING**

Notice is hereby given pursuant to the Georgia Administrative Procedure Act, O.C.G.A. Sections 50-13-3, 50-13-4 and 50-13-6, 50-13-21 and O.C.G.A. Section 33-2-9 of the proposal by the Commissioner of Insurance to amend the Rules and Regulations of the Office of Commissioner of Insurance.

The Rules and Regulations of the Office of Commissioner of Insurance are proposed to be amended by the following actions:

--Adopt new Regulation Chapter 120-2-96 entitled "Georgia Affordable Health Savings Account Eligible High Deductible Health Plan."

A copy of the proposed new Regulation Chapter 120-2-96 is attached hereto and made a part hereof by reference.

--Amend Regulation Chapter 120-2-10(3) by deleting in its entirety Rule 120-2-10-.12(3)(h) which states "(h) Using health status-related factors of any kind and in any manner for the development of group experience factors at renewal rating." The proposed effective date of this revision shall be December 1, 2009.

The new Regulation 120-2-96 is necessary because of the enactment of certain revisions to O.C.G.A. §§ 33-51-1, et seq. regarding Georgia Affordable HSA Eligible High Deductible Health Plans. The revisions to Rule 120-2-10-.12(3) is being

proposed pursuant to the Commissioner's authority under O.C.G.A. Section 33-2-9.

The aforesaid proposals, which are being forwarded to the Attorney General for approval as to legality pursuant to O.C.G.A. Section 33-2-9, are now on file in the Administrative Procedure Division of the Office of Commissioner of Insurance, 612 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, and are hereby declared to be a public record as follows:

New Regulation Chapter 120-2-96 entitled "Georgia Affordable Health Savings Account Eligible High Deductible Health Plan," and the amendment to Rule 120-2-10-.12(3) is given Docket Number I-09-R-3.

Interested persons may participate in the proposed rulemaking process by submitting their written comments to **Fred Meyer, Administrative Procedure Division, Office of Commissioner of Insurance, 612 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334. All comments must be received by the Administrative Procedure Division by 4:30 P.M. on Tuesday, September 8, 2009.** Interested persons may also participate in the proposed rulemaking by submitting oral comments on Regulation Chapter 120-2-96 and the amendment to Rule 120-2-10-.12(3)(h) at a hearing to be held at **10:30 A.M. on Wednesday, September 9, 2009, in the Hearing Room of the Office of Commissioner of Insurance, Seventh Floor, West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334.**

Oral presentations at the hearing will be limited to five (5) minutes per person in order to afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact Fred Meyer.

Based upon full consideration of all written and oral comments regarding the above matters, the Commissioner of Insurance may reject or adopt the proposed rules or may make changes to the proposed rules which may require another rulemaking hearing.

Given under my Hand and Official Seal this 17<sup>th</sup> day of July, 2009.



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JOHN W. OXENDINE  
COMMISSIONER OF INSURANCE  
STATE OF GEORGIA

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