

BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

IN THE MATTER OF:)
)
CHAPTER 120-2-101)
) DOCKET NUMBER I-12-I-6
CHILD ONLY INDIVIDUAL HEALTH)
COVERAGE)

ORDER

I. STATEMENT OF PROCEEDINGS

On November 7, 2012, Notice of Intent to Adopt Rule Changes and Notice of Hearing was given regarding the following proposed regulatory actions (Record, Exhibit 1):

- Adding Regulation Chapter 120-2-101 entitled "Child Only Individual Health Coverage"
- Adding Regulation 120-2-101-.01 entitled "Authority"
- Adding Regulation 120-2-101-.02 entitled "Definitions"
- Adding Regulation 120-2-101-.03 entitled "Child Only Policy Forms"
- Adding Regulation 120-2-101-.04 entitled "Child Only Premium Rates"
- Adding Regulation 120-2-101-.05 entitled "Policy Form and Rate Submission in SERFF"
- Adding Regulation 120-2-101-.06 entitled "Child-Only Program Reporting due in 2014"

By letter dated November 19, 2012, the Office of the Attorney General opined that the proposed regulatory actions are within this office's scope of authority (Record, Exhibit 5). Pursuant to O.C.G.A. Section 50-13-4(e), the proposed regulatory changes were transmitted to Wayne R. Allen, Legislative Counsel for the General Assembly, for assignment to the appropriate standing committees of the Senate and House of Representatives (Record, Exhibit 6) and were assigned accordingly (Record, Exhibit 7).

II. CONSIDERATION OF INTERESTED PARTY COMMENTS

Interested persons were given the opportunity to participate in the proposed rulemaking by submitting their written comments to the Georgia Department of Insurance (the

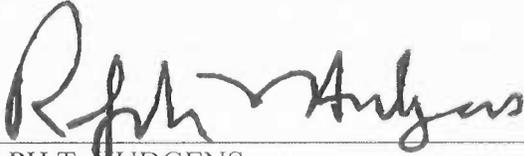
“Department”) by December 3, 2012, and by making oral comments at the public hearing held December 7, 2012. No written comments were received. Tom Carswell, Assistant Director of the Insurance Product Review Division of the Department, was the only person to offer oral comments at the hearing.

During 2012 Governor Deal signed House Bill 1166, which modifies Title 33. The principle change to Title 33 provides that during 2013 all health insurance carriers offering coverage in the individual health insurance market in this state must also offer child-only policies that cover pre-existing conditions. Pursuant to O.C.G.A. Section 33-29B-8, the proposed regulation implements the changes to Title 33 and, according to Mr. Carswell, provides practical compliance guidance to the health insurance industry.

III. DECISION

WHEREAS, the Commissioner finds persuasive the comments offered by Mr. Carswell regarding the need for the proposed regulation, and **WHEREAS**, no comments were offered in opposition, **IT IS HEREBY ORDERED** that the proposed Regulation Chapter 120-2-101 entitled “Child Only Individual Health Coverage” a copy of which is attached hereto and made a part by reference, is **HEREBY ADOPTED**.

Given under my Hand and Seal this 7th day of December, 2012.



RALPH T. NUDGENS
INSURANCE AND SAFETY FIRE COMMISSIONER
STATE OF GEORGIA