

### Frequently Asked Questions

1. Q: Our company got this Bulletin, but we don't write health insurance. Do we have to do anything?

A: No. We are aware that the distribution was to broad categories of licensees, but was intended to require action only from those companies who have approved health products subject to PPACA and who are active in writing or servicing applicable health coverage in Georgia.

2. Q: The Bulletin refers to Rule Chapter 120-2-25, dealing with Exemption from Filing Certain Life and Health Forms. What does that have to do with these Federal Health Reform Issues?

A: Our Office was seeking to tie in the requirements of providing listings of types of forms and reporting to this Office on a regular basis. The process we are implementing in this Bulletin is closely tied to the concepts and requirements in the historical Rule Chapter 120-2-25, and we used reference to that to point out that the Commissioner could allow exemptions from certain filings, and could require insurers to file information with our Office about the forms that an insurer has in use in a particular year.

3. Q: We have been making filings earlier this year regarding PPACA and reform changes to our products. Does this Bulletin mean we can't keep on doing that? Or that we don't have to report the filings already officially acted upon?

A: NO. The Bulletin states that an insurer may continue to make new form filings, or to make discrete filings that amend products in place. We intended this Bulletin's approach of a Certification and a Listing to relieve burdens on Insurers and on this Office as we reach September 23, 2010, when many official federal health reform changes in law will be enforced. An insurer subject to this Bulletin must include in its listing all health products in use in Georgia subject to PPACA, regardless of earlier filing with and/or action by this Office.

4. Q: Why did you require the SERFF process to be involved, and why did you include the SERFF PPACA Form?

A: Georgia required the SERFF process to be used because that is the required way for insurers to file health policy forms, and because SERFF can help this Office automate certain types of reporting. We included the SERFF PPACA form because it is a good reference as to what insurers need to be doing in important policy areas to comply with federal health reform requirements this year.

5. Q: What if we can't complete this form by August 23, 2010?

A: Insurers are expected to make their best efforts to execute the Certification and forward the Listing of Forms in Use by the deadline. Insurers who cannot respond by August 23 should send an email message to [tcarswell@oci.ga.gov](mailto:tcarswell@oci.ga.gov) the attention of Tom Carswell, Assistant Director, Life and Health Division, explaining why they cannot meet the deadline, and requesting an extension of a brief period of time to complete the Certification and Listing of Forms in Use.

6. Q: Our company has evaluated the federal changes and will modify forms and procedures, but we also want to modify premium rates. As we respond to this Bulletin, is there any provision for the streamlining of rates related to the form changes?

A: No. Rates are specifically excluded within the Bulletin. While this Office recognizes that insurers may want or need to modify premium rates on products to respond to increases in benefits or removal of former exclusions, etc., the Bulletin was designed to address only the immediate policy forms filing volume issues. Rate filings of different products in Georgia are subject to various differing requirements based on type of company, company license, type of health product, health product market, etc. and these factors were simply too complex to have a streamlined approach or solution in this Bulletin. All normal premium rate filing and rate increase filing requirements under Georgia Law and Georgia Rules and Regulations continue to apply to health rates on forms impacted by the federal reforms under PPACA. We cannot predict in advance what the volume of rate filings will be from Georgia insurers. We will make our best efforts to review and process, and where required, to act on health rate filings submitted to us in the normal course through SERFF. Insurers are instructed to clearly indicate on SERFF descriptions, headings and other materials if rate filings are related to timely federal health reforms.

7. Q: Are any Policy Form Filing Fees applicable to the responses to this Bulletin?

A: No. Form Filing Fees are not specifically required for the responses to this Bulletin, as they do not take the form of a normal policy form filing. We will accept any policy filing fees received, if submitted, despite their not being required.

8. Q: My insurer is in a holding company group, and I as compliance person want to submit all my companies together. Can I do this in one SERFF filing?

A: No. Each insurer should report separately, so that we can identify responding companies by discrete NAIC number and we want to separate the Certifications and the Listings of Forms in Use so that we can address each insurer separately.

9. Q: We are submitting this information which we consider sensitive as to our marketing, marketing plans, product identifications and other material. Will this information be public?

A: SERFF policy form filings handled by Georgia are considered public records. While we do not anticipate assembling and publishing reports based on conglomerations of the reports from various individual health insurers based on the Listings of Forms In Use, the references to policy form numbers, dates of approval and other identifying information submitted to us in the past is already considered public information under many various Georgia Open Records laws.