

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules
accompanies this form

FILED
4-28-16 9:30 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Consumer and Business Services, Insurance Regulation
Agency and Division

836
Administrative Rules Chapter Number

Two-month Extension of Transitional Plans for Small Employer Groups

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amending OAR 836-010-0013

Statutory Authority:

ORS 731.244, 743.018

Other Authority:

Statutes Implemented:

Section 5, chapter 80, Oregon Laws 2014 (Enrolled Senate Bill 1582)

Need for the Temporary Rule(s):

This temporary rule provides guidance for a two-month extension of transitional plans for small employer groups as allowed by federal guidance issued on February 29, 2016.

Documents Relied Upon, and where they are available:

CMS bulletin titled, "Insurance Standards Bulletin Series -- INFORMATION - Extension of Transitional Policy through Calendar Year 2017," dated February 29, 2016. This document is available from the Division of Financial Regulation, Department of Consumer and Business Services, Labor and Industries Building, 350 Winter St. NE., Salem, OR 97301 or online at <https://www.cms.gov/CCIO/Resources/Regulations-and-Guidance/Downloads/final-transition-bulletin-2-29-16.pdf>. These materials are also available upon request from Karen Winkel at karen.winkel@state.or.us.

Justification of Temporary Rule(s):

The rules are necessary to allow insurers who wish to extend transitional plans to file rates and forms necessary to extend the plans. It is critical to adopt these rules as soon as possible in order to comply with federally imposed timelines for filing plan documents and rates. Failure to file temporary rules that take effect immediately would result in industry and consumer harm by not allowing the extension of these plans which will facilitate a smooth transition to fully compliant small employer health benefit plans by December 1, 2017.

Karen Winkel

karen.j.winkel@oregon.gov

Printed Name

Email Address