

# NOTICE OF PROPOSED RULEMAKING

## STATEMENT OF NEED AND FISCAL IMPACT

Filing caption: Adopt requirement for Consumer Friendly Summary Document in rate filings

**Public comment deadline: TBD**

**Note: Public comments are public records and may be made publicly available.**

**Effective Date: 1/1/2026**

### HEARING:

**Date:** TBD

**Time:** TBD

**Officer:** Ethan Baldwin

**Location:** Labor & Industries Building  
350 Winter St. NE  
Basement, Conf Rm  
Salem, OR 97301

This is a hybrid meeting conducted in-person and virtually via Microsoft Teams:

TBD

### NEED FOR RULE(S):

*Provide background on why the rule is needed, including a short summary of the rulemaking authority and statutes implemented. Provide a summary of what the rule does. Describe the involvement of the RAC, including the types of stakeholders that were invited to and did participate. Specify if any of the stakeholders were small businesses.*

ORS 743.018 directs carriers offering individual and small group health insurance, to file with the Department of Consumer and Business Services (DCBS), all schedules and tables of premium rates for life and health insurance to be used on risks in this state. The statute spells out the process that the department will follow when reviewing and approving rates. The entire process is fully transparent, with the entirety of every filing being posted to the department's website.

House Bill 2564 (2025) made certain modifications to the existing rate review process. One such modification was the requirement that DCBS, by rule, specify the form and manner of a consumer-friendly summary document to be submitted as part of a rate filing.

The proposed rule articulates what information is required in the consumer-friendly summary document, as well as a template that each carrier will use to present that information. This will allow consumers to compare information in an easily digestible manner.

#### **DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

Draft rules are available from Karen Winkel, Rules Coordinator, Division of Financial Regulation located at 350 Winter St. NE, Salem, OR 97301 and are available on the division's website:

<https://dfr.oregon.gov/laws-rules/Pages/proposed-rules.aspx>.

#### **STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT EQUITY IN THIS STATE:**

*(Who is this going to impact and how might it impact one group of people differently than others?)*

The proposed rule will impact Oregon insurance companies and consumers who buy health benefit plans in this state. It is unlikely to impact one group of people differently than others because consumers have the choice to purchase different health benefit plans.

#### **FISCAL AND ECONOMIC IMPACT:**

*(Based on information available to DCBS, briefly discuss the cost of compliance for businesses, generally.)*

This proposed rule will create a new, consumer friendly document to assist consumers in understanding rate requests. The rule does contain a new requirement for health insurers. While the information they are providing is already included in every rate filing; creating a new, consumer friendly document, is a new requirement. There is no fiscal impact to consumers; aside from providing clearer information that may assist in their health plan purchasing.

The fiscal impact to insurers could have a small increase in administrative costs resulting from insurers needing to generate a new document from existing information. Inclusion of clearer language for consumers, may reduce consumer inquiries later on in the process.

#### **COST OF COMPLIANCE FOR SMALL BUSINESSES:**

**(1) Identify any state agencies, units of local government, and members of the public (including specific interest groups) likely to be economically affected by the rulemaking.**

Based on information currently available to DCBS, the proposed rule would not have a fiscal or economic impact on state agencies, local government units, nor the public.

The proposed rules apply to commercial payers only and would require minimal administrative effort to comply with the requirements of proposed rules. The fiscal impact to insurers could have a small increase in administrative costs resulting from insurers needing to generate a new document from existing information.

There is likely no fiscal impact to individual consumers.

Based on the information currently available to DCBS, the proposed rule does not have an economic impact on the general public beyond the underlying statutory requirements.

**(2)(a) Estimate the number and type of small businesses subject to the rule(s).**

Based on financial filings made to DFR, no health insurers meet the definition of a small business under ORS 183.310, because no health insurer is independently owned and operated.

**(2)(b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s).**

The expected costs are minimal for the proposed rules as they apply to commercial payers only and would require minimal administrative effort to comply with the requirements of proposed rules. The fiscal impact to insurers could have a small increase in administrative costs resulting from insurers needing to generate a new document from existing information.

**(2)(c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).**

The expected costs are minimal for the proposed rules as they apply to commercial payers only and would require minimal administrative effort to comply with the requirements of proposed rules. The fiscal impact to insurers could have a small increase in administrative costs resulting from insurers needing to generate a new document from existing information.

**How were small businesses involved in the development of the rule?**

Members of organizations representing small businesses were invited but declined to participate in the rulemaking advisory committee.

**Was an administrative rule advisory committee consulted? Yes.**

Representatives from health insurance carriers were participants in this RAC. Small business representation was invited to this RAC but did not participate. Consumer advocacy representation was invited and did participate. A representative from health insurance marketplace was included in the committee. An interested consumer also participated in this committee.

The rulemaking advisory committee met virtually on August 6, 2025 at 1:00 PM, September 4, 2025 at 1:30 PM, and September 24, 2025 at 1:30 PM.

**Did membership of the RAC represent the interests of persons and communities likely to be affected by the rule? Yes.**

*Specify the interested communities (BIPOC, professions, occupations, geographic location, recreational interests, aging/older adults, individuals w/disabilities, LGBTQ+, religion, veterans.*

Yes, the RAC represented the interest of those most likely affected by this rule –health insurers, and consumers. The proposed rule is not expected to impact any particular community in Oregon, except to the extent that members of many communities act as purchasers of insurance. As part of the rulemaking process, we invited feedback from advocates representing LGBTQIA+, BIPOC, and low income communities.

**RULE NUMBER AND SUMMARY:**

*List each rule number and a short summary of what the rule does.*

**ADOPT:** 836-053-0480

**RULE SUMMARY:** Require Consumer Friendly Summary Document for rate filings

**STATUTORY REFERENCE:**

**STATUTORY/OTHER AUTHORITY:** ORS 731.244, Oregon Laws Chapter 121 (2025), HB 2564

**STATUTES/OTHER IMPLEMENTED:** ORS 743B.130

TK Keen, Interim Insurance Commissioner

Signature

Printed name

Date

## LEGISLATOR NOTICE:

*If the rulemaking results from legislation passed within two years of this notice of proposed rulemaking, the agency must give notice to: 1) the legislator(s) who introduced the bill; and 2) the chair or co-chairs of all committees that reported the bill out. (Does not include referrals to other committees).*

*If the rule does not result from legislation within the last two years, notice shall be given to the chair or cochairs of any interim or session committee with authority over the subject matter of the rule. If notice cannot be given to these individuals, notice shall be given to the Speaker of the House and the President of the Senate.*

Name	Committee or Title	Email
Sen. Deb Patterson	Health Care	Sen.debpatterson@oregonlegislature.gov
Sen. Cedric Hayden	Health Care	Sen.cedrichayden@oregonlegislature.gov
Rep. Rob Nosse	Behavioral Health and Health Care	Rep.robnosse@oregonlegislature.gov
Rep. Cyrus Javadi	Behavioral Health and Health Care	Rep.cyrusjavadi@oregonlegislature.gov

## RULEMAKING ADVISORY COMMITTEE:

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