

NOTICE OF PUBLIC HEARING

OFFICE OF THE COMMISSIONER OF INSURANCE

The Office of the Commissioner of Insurance (OCI) announces that it will hold a public hearing on the Permanent Rule for Ch. INS 19, Wis. Adm. Code, relating to the Wisconsin Healthcare Stability Plan. In accordance with s. 227.17, Stats., the Commissioner of Insurance (Commissioner) is seeking public input through the hearing and comment period regarding the content of the proposed rule

Hearing Information:

Date: July 24, 2019
Time: 10:00 am
Location: Office of the Commissioner of Insurance
125 S. Webster St., 2nd Floor Rm. 227
Madison, WI 53703

Accessibility:

Pursuant to the American with Disabilities Act reasonable accommodations including the provision of informational materials in an alternative format, will be provided for individuals with disabilities upon request. Please call Karyn Culver at (608) 267-9586 with specific information on your request at least 5 days before the date of the hearing. There is also handicap access to the hearing location.

Appearances at the Hearing and Submittal of Written Comments:

Persons wishing to testify or provide oral or written comments regarding the Permanent Rule for the proposed administrative rule may appear during the hearing. Additionally comments may be submitted at <https://docs.legis.wisconsin.gov/code>.

For additional information please contact Julie E. Walsh at (608) 264-8101 or email at Julie.Walsh@wisconsin.gov in the OCI Legal Unit.

Deadline for submitting comments is August 2, 2019, by 4:00 pm.

Initial Regulatory Flexibility Analysis:

The proposed permanent rule codifies the emergency rule with the addition of a few requested clarifications. The emergency rule has had a positive effect on licensed insurers offering individual health insurance based on the 2019 benefit year payment parameters under the statute and emergency rule. Individual health insurance offered is required to meet the requirements of the Patient Protection and Affordable Care Act of 2010, as amended. Additionally, the emergency rule and the WIHSP reinsurance program have, to date, positively affected Wisconsin consumers purchasing individual health insurance either off the exchange or through the federal exchange. It is anticipated to have a continuing positive impact for insurers and Wisconsin consumers.

The enabling legislation, 2017 Wis. Act 138, established an appropriation not to exceed \$200 million of general purpose revenue. If the state can demonstrate that its proposal will reduce the

amount of federal funds needed to support federal subsidies, the federal government with “pass through” the difference to the state. As a result of the reinsurance program, to date, it is estimated that premiums for consumers will be approximately 13% lower than if the state did not have a reinsurance program for 2019. One carrier identified that the Wisconsin Healthcare Stability Plan and the current that the Wisconsin Healthcare Stability Plan and the current payment parameters allowed the carrier to decrease insurance premiums by approximately 9.5% across all levels, to more than 22,000 members throughout the state. Importantly, the comment noted that those individuals not eligible for federal assistance whose incomes exceeds 400% of the poverty level experienced meaningful savings. The carrier further commented that the WIHSP program has provided stability to a vulnerable market and adds protection against adverse selection.

Agency Small Business Regulatory Coordinator:

The OCI small business coordinator is Kate Ludlum and she may be reached at Kate.Ludlum@wisconsin.gov or (608) 264-6232.

This Notice of Public Hearing
is approved on June 21, 2019.

Nathan D. Houdek, Deputy Commissioner