

**§2736. Rate filings on individual health insurance policies**

**1. Filing of rate information.** Every insurer shall file for approval by the superintendent every rate, rating formula, classification of risks and every modification of any formula or classification that it proposes to use in connection with individual health insurance policies and certain group policies specified in section 2701. If the filing applies to individual health plans as defined in section 2736-C, the insurer shall simultaneously file a copy with the Attorney General. Every such filing must state the effective date of the filing. Every such filing must be made not less than 60 days in advance of the stated effective date, unless the 60-day requirement is waived by the superintendent, and the effective date may be suspended by the superintendent for a period of time not to exceed 30 days. A filing required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2009, c. 439, Pt. C, §1 (RPR).]

**2. Filing; information.** When a filing is not accompanied by the information upon which the insurer supports such filing, or the superintendent does not have sufficient information to determine whether such filing meets the requirements that rates not be excessive, inadequate or unfairly discriminatory, the superintendent shall require the insurer to furnish the information upon which it supports the filing. A filing and all supporting information, except for protected health information required to be kept confidential by state or federal statute and descriptions of the amount and terms or conditions or reimbursement in a contract between an insurer and a 3rd party, are public records notwithstanding Title 1, section 402, subsection 3, paragraph B and become part of the official record of any hearing held pursuant to section 2736-A.

[PL 2009, c. 439, Pt. C, §2 (AMD).]

**3. Criteria for special rate hearings.**

[PL 2009, c. 244, Pt. C, §5 (RP).]

**4. Special rate hearing.**

[PL 2009, c. 244, Pt. C, §6 (RP).]

**SECTION HISTORY**

PL 1969, c. 132, §1 (NEW). PL 1973, c. 585, §12 (AMD). PL 1977, c. 493, §3 (RPR). PL 1979, c. 558, §§6,7 (AMD). PL 1985, c. 648, §10 (AMD). PL 1997, c. 344, §8 (AMD). PL 2001, c. 432, §§5,6 (AMD). PL 2003, c. 428, §F2 (AMD). PL 2003, c. 469, §§E9,10 (AMD). PL 2007, c. 629, Pt. M, §§1, 2 (AMD). PL 2009, c. 14, §4 (AMD). PL 2009, c. 244, Pt. C, §§5, 6 (AMD). PL 2009, c. 244, Pt. G, §1 (AMD). PL 2009, c. 439, Pt. C, §§1, 2 (AMD).

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