



**The State of New Hampshire
Insurance Department**

21 South Fruit Street, Suite 14
Concord, NH 03301

Roger A. Seigny
Commissioner

Alexander K. Feldvebel
Deputy Commissioner

BULLETIN

Docket Number INS NO. 06-039-AB

TO: All Carriers Issuing Medicare Supplemental Policies

FROM: Roger A. Seigny, Insurance Commissioner

A handwritten signature in black ink, appearing to read "RAS", positioned to the right of the "FROM:" line.

DATE: October 4, 2006

RE: Medicare Supplemental Insurance Policies, Rate Filing and Approval.

This bulletin is to clarify the rate filing requirements for carriers issuing Medicare supplemental policies.

Ins 1905.13(c)(1) and 1905.24(a) require that all insurers that issue Medicare supplemental policies and certificates must file rates annually in accordance with the filing requirements and procedures prescribed by the commissioner. Rates must be filed on a calendar year basis by November 1 of the preceding calendar year and must be filed and approved before their intended effective date. (Ins 1905.24(b)) Issuers of Medicare supplemental insurance are prohibited from charging premiums rates that are not approved by the commissioner. (Ins 1905.14(c)) See also Docket Number INS No. 05-048-AB for a discussion concerning the annual filing requirements for Medicare supplement products.

It has come to the Department's attention that some companies are issuing and renewing Medicare supplemental policies using rates that have not been approved by the commissioner. Companies that issue new Medicare supplemental policies or certificates without having received rate approval for that calendar year are in violation of insurance regulations, even if the company's rates have not changed from the previous calendar year. While Medicare supplemental policies are guarantee renewable, companies that renew Medicare supplemental policies and charge unapproved rates are in violation of New Hampshire insurance regulations in Ins 1905. The Department will investigate and take enforcement action against companies that issue or renew Medicare supplemental policies without rate approval.

Failing to file rates on or before November 1, failing to respond to Department correspondence on such filing in a timely manner, or otherwise failing to obtain rate

approval before January 1 will prevent a carrier from making the policy available for purchase. This is in violation of Ins 1905.14(e) and may result in the Department deeming the policy discontinued pursuant to INS 1905.14 (g).

In order to facilitate timely rate approval, the department will respond within thirty days to every rate filing submitted by November 1. If the rate filing is denied, the department will indicate the reasons for the denial. In addition, if possible, the Department will propose a rate that is supported by the supporting documentation.

Please contact David Sky, Insurance Department, Life, Accident and Health Actuary, David.Sky@ins.nh.gov, with any questions about this bulletin.