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NH Insurance Department Convenes Stakeholder Group to Revise Network Adequacy Standards

Concord, NH – The New Hampshire Insurance Department today convened a working group designed to revise the current state rules that define a minimum “adequate network” for health insurance plans, including those offered on New Hampshire’s federally operated Health Insurance Marketplace.

Insurance Commissioner Roger Sevigny welcomed more than 20 participants representing a range of stakeholders, including consumers, health care providers, nonprofit health care advocates, and insurance companies. He told the group that the Department wants to hear all the issues people have with the current rule and then begin to draft something that can be the basis of further discussion.

Members of the Department described the process that will ultimately culminate in formal rulemaking, in which new guidelines surrounding network adequacy are written, discussed with the public, and submitted to the New Hampshire Legislature’s Rules Committee for consideration. Should they be approved, they will become law. The Department’s goal is to have the new standards in effect by next spring, so they will be applicable to 2016 health plans.

However, the process will not be simple – or straightforward – cautioned the Department’s health policy analyst, Tyler Brannen. In addition to listening to suggestions from the public and stakeholders, the Department must take into account the possibility that pending state legislation – as well as new guidelines issued by the federal government – may have an effect on the rules. In addition, Brannen said, the state’s recent decision to expand Medicaid through private insurers also may affect the state’s approach to network adequacy.

“Until some of these balls actually start to land in places, it’s going to be hard to start that formal rulemaking process,” Brannen said.

Prior to the meeting, stakeholders had submitted feedback, which the Department summarized in its presentation. Suggestions included: requiring adequate access for all enrollees; strengthening time and distance standards and basing them on actual driving routes; ensuring access to mental health services; and improving the transparency of networks. Members of the working group also had the opportunity to offer feedback at the meeting.

“What we propose to do is go back and think,” said Deputy Commissioner Alex Feldvebel at the meeting’s end. “We’ll look more in depth at the comments we’ve received and talk to each other at the Department – absorb the significance of research on what other states have done, look at all of that and think more about issues like the Medicaid population ... then we will start putting out information. ... As a next step, we’ll come forward with a conceptual structure for what our rewritten rule might look like and then put that up for people to see and comment on.”

The Department developed the current network adequacy rules in 2001 with help from a similar working group, composed of consumer representatives, hospitals, community clinics, physicians, nurses, and mental health providers, as well as all the major health carriers.


The New Hampshire Insurance Department’s mission is to promote and protect the public good by ensuring the existence of a safe and competitive insurance marketplace through the development and enforcement of the insurance laws of the State of New Hampshire. For more information, visit www.nh.gov/insurance.

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