

State of Idaho
DEPARTMENT OF INSURANCE

BRAD LITTLE
Governor

700 West State Street, 3rd Floor
P.O. Box 83720
Boise, Idaho 83720-0043
Phone 208-334-4250
Fax 208-334-4398
Website: <https://doi.idaho.gov>

DEAN L. CAMERON
Director

M E M O R A N D U M

DATE: January 17, 2019

TO: Chairman, Senate Commerce and Human Resources Committee

FROM: Director Dean Cameron, Idaho Department of Insurance

SUBJECT: Pending Rulemaking – Docket No. 18-0154-1801- Incorporation by Reference Synopsis

In compliance with Section 67-5223(4), Idaho Code, and pursuant to your request, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that will be incorporated by reference under this pending rulemaking.

In 2015, Congress passed the Medicare Access and CHIP Reauthorization Act (MACRA). MACRA makes changes to Medigap policies that cover the Part B deductibles of “newly eligible” Medicare Beneficiaries on or after January 1, 2020. The National Association of Insurance Commissioners (NAIC) developed a model regulation including plan charts to comply with MACRA and issued guidance to states that want to retain regulatory authority over Medicare Supplement products. Failure to adopt the current law could result in a state losing regulatory authority over these products. Authority to regulate these products would revert back to the Federal Government.

IDAPA 18.01.54 currently incorporates by reference Appendixes A, B, and C and all other outlines of coverage and specific plan designs of the NAIC Model Regulation implementing the Medicare supplement insurance minimum standards, July 1, 2009. The Model Regulation is available from the National Association of Insurance Commissioners, 2301 McGee Street, Suite 800, Kansas City, MO 64108-2662 and from the Idaho Department of Insurance website <https://doi.idaho.gov/displaypdf?ID=18.01.54&cat=Laws>. The Appendixes did not change but to update the tables; the outlines did change. The outlines of coverage and plan designs that have changed have a new benefit summary chart showing Medicare supplement plans sold on or after January 1, 2020, and other particulars including:

- Plans C/F, including F high deductible option, will not be available to the newly eligible starting January 1, 2020
- Plans D/G will replace C/F for those with guaranteed issue right (these plans aren't new)
- Addition of the new G high deductible plan option

Dean L. Cameron
January 22, 2019
attachment 1

The new benefit summary chart can be found on the NAIC website Products page under Volume IV, Medicare Supplement Insurance, Model Regulation 651 (starting on page 651-43) or by clicking <https://www.naic.org/store/free/MDL-651.pdf#page=43>

I have included copies of: 1) the new outline of coverage which summarizes the benefits for the respective plans for plans sold on or after January 1, 2020, and 2) for comparison, the current outline of coverage summarizing the benefits currently in effect as part of the current rule.