

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES, OREGON HEALTH INSURANCE MARKETPLACE

Summary of Changes to Administrative Rules

This summary describe changes that the Health Insurance Marketplace proposes to make in its administrative rules, compared with the rules in force on the date of the proposal (including temporary rules effective 3-11-15 thru 9-4-15).

Overall changes: substitutes “Marketplace” for “Exchange” and “DCBS” for “Cover Oregon.” Statutory authority citations are updated. If a rule heading below has no explanatory text, then these are the only changes.

DIVISION 1 PROCEDURAL RULES

945-001-0001 Model Rules of Procedure

Repealed as unnecessary now that the Marketplace is part of DCBS.

OAR 945-001-0002 Definitions

Moved from OAR 945-040-0010. New definitions for “Affordable Care Act” or “ACA,” “DCBS,” “health care service contractor,” “health insurance,” “health insurance exchange” or “exchange,” “health plan,” “individual market,” “insurer,” “Oregon Health Insurance Marketplace” or “Marketplace,” “Oregon Insurance Division,” “qualified individual,” “Small Business Health Options Program” or “SHOP,” “standalone dental plan” or “SADP,” and “state program.”

Deletes definitions for “appellant,” “authorized representative,” “complete application,” “date of request,” “Department of Health and Human Services or HHS,” “OHA,” “primary applicant,” “United States nationals,” and “valid appeal request.” Deleted terms are unnecessary given use of federal enrollment technology.

OAR 945-001-0006 Notice of Proposed Rulemaking and Adoption of Temporary Rules

OAR 945-001-0011 Delegation of Rulemaking Authority

Repealed as unnecessary now that the Marketplace is part of DCBS.

DIVISION 10 EMPLOYEE CRIMINAL RECORDS CHECK AND FITNESS DETERMINATION RULE

Repealed as unnecessary now that the Marketplace is part of DCBS.

DIVISION 20 CERTIFICATION OF HEALTH AND DENTAL PLANS

OAR 945-020-0010 Purpose; Applicability

Reference to statutory authority deleted as unnecessary. Adds SADPs offered through or outside the Marketplace.

OAR 945-020-0020 Certification of QHPs and Marketplace SADPs

Adds SADPs offered through the Marketplace. Performance reporting standards to be in QHP contracts. Agent management program deleted. Request for applications may be issued sooner than two years. Adds procedure to decertify a QHP or SADP.

OAR 945-020-0025 Certification of Non-Marketplace Stand-alone Dental Plans

New.

OAR 945-020-0040 QHP Addendum for Indian Health Care Providers

Addendum updated.

DIVISION 30 ADMINISTRATIVE CHARGE FOR OPERATING EXPENSES

OAR 945-030-0010 Purpose

Reference to statutory authority deleted as unnecessary. Adds reference to SADPs offered through the Marketplace.

OAR 945-030-0020 Establishment of Administrative Charge Paid by Insurers

Requires consultation with Advisory Committee. Clarifies calculation of operating expenses and maximum assessment. Modifies method for crediting excess assessments.

OAR 945-030-0030 2015 Administrative Charge on Insurers

Method for crediting excess assessments moved to OAR 945-030-0020.

OAR 945-030-0035 2016 Administrative Charge on Insurers

Method for crediting excess assessments moved to OAR 945-030-0020.

OAR 945-030-0040 Assessment and Collection of Administrative Charge on Insurers

Specifies procedures for insurer reporting and correction of enrollments, data verification, and contest of assessments. Modifies due dates and late payment charges.

OAR 945-030-0045 Administrative Assessment on State Programs

DIVISION 40 ELIGIBILITY STANDARDS

OAR 945-040-0005 Scope

Repealed as unnecessary given use of federal enrollment technology.

OAR 945-040-0020 Eligibility for Enrollment in a Qualified Health Plan in the Individual Market

OAR 945-040-0030 Eligibility for the Small Business Health Options Program (SHOP)

Definitions of small employer updated.

OAR 945-040-0040 Eligibility for Insurance Affordability Programs

Deletes requirement to determine eligibility for MAGI-based Medicaid and CHIP programs.

OAR 945-040-0050 Eligibility Standards for Special Populations

OAR 945-040-0060 to 945-040-0180

Repealed as unnecessary given use of federal enrollment technology.

DIVISION 50 CERTIFICATION OF INSURANCE PRODUCERS

Repealed as unnecessary given use of federal enrollment technology.