



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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**MEMORANDUM**

DATE: December 22, 2011

TO: Ms. Rhonda West, Regulatory Specialist  
Delaware Department of Insurance

FROM: Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: 15 DE Reg. 740 [Department of Insurance Proposed Health Premium Comparison Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Insurance's (DOI's) proposal to adopt Health Premium Consumer Comparison regulations published as 15 DE Reg. 740 in the December 1, 2011 issue of the Register of Regulations. As background, DOI published the initial version of this proposed regulation in August, 2011 [15 DE Reg. 164 (August 1, 2011)]. The regulation is intended to require insurers to provide information to the Department to facilitate consumer rate comparisons for comparable coverage. SCPD endorsed the initiative with a recommendation to adopt one (1) amendment to §3.1. Rather than adopt a final regulation, the Department is issuing a revised proposed regulation. SCPD has the following observations.

First, the Department incorporated the recommended amendment of §3.1 into the latest version of the proposed regulation.

Second, the effective date of the original regulation was October 31, 2011 (§5.2). SCPD suspects this may have been insufficient time for some insurers to comply. The new regulation will require data submission by March 15, 2012 (§§5.1 and 6.1). The Department plans to include the rate comparison information on its website by March 30, 2012 (§5.2)

Third, while the original regulation included an exclusion for health benefit plans, dental plans, and limited benefit plans (§3.2), the new regulation also exempts vision only, Medicare supplement, and long term care plans (§2.0).

SCPD endorses the proposed regulation subject to one recommendation. To the extent the

Department has discretion to include vision only, dental, Medicare supplement, and long term care plans, it would be preferable to include such insurance in the regulation.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position or observations on the proposed regulation.

cc: Ms. Karen Weldin Stewart  
Mr. Brian Hartman, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

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