

02-031
MAINE BUREAU OF INSURANCE
Annual Regulatory Agenda
June 2024 – June 2025

AGENCY UMBRELLA-UNIT NUMBER: **02-031**

AGENCY NAME: **Department of Professional and Financial Regulation, Bureau of Insurance**

RULEMAKING LIAISON: Stacy L. Bergendahl, Senior Staff Attorney, 34 State House Station, Augusta, ME 04333-0034. Tel: (207) 624-8537. E-mail: Stacy.L.Bergendahl@maine.gov

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA: None

CONSENSUS-BASED RULE DEVELOPMENT: None anticipated

EXPECTED 2024-2025 RULEMAKING ACTIVITY:

Health Insurance:

New Rule: Chapter 820, Explanation of Benefits

STATUTORY BASIS: 24-A M.R.S. §§ 212 and 4303(13)

PURPOSE: to establish the minimum information and standards for explanation of benefits forms used by carriers that offer health plans in Maine

SCHEDULE FOR ADOPTION: Fall 2025, dependent on changes to federal rules

AFFECTED PARTIES: health insurers

Amended Rule: Ch. 835, Dental Insurance Plan Loss Ratio Reporting

STATUTORY AUTHORITY: 24-A M.R.S. §§ 212 and 4319-A

PURPOSE: to establish standards for calculating average loss ratios for plans providing dental care services, reporting dental loss ratios to the Superintendent, and determining dental plan credibility, and to establish a process to determine outlier dental plans.

ANTICIPATED SCHEDULE: Summer 2025

AFFECTED PARTIES: individuals and small businesses buying health insurance, health insurance carriers

Amended Rule: Ch. 850, Health Plan Accountability

STATUTORY AUTHORITY: 24-A M.R.S. §§212, 4301-A(1), and 4303 and Public Law 2011, Chapters 90 and 364.

PURPOSE: To establish a definition of adverse health treatment decision, update credentialing requirements in accordance with federal and state law, update network adequacy requirements in accordance with federal law, add providers to the grievance procedure

ANTICIPATED SCHEDULE: Fall 2024

AFFECTED PARTIES: health insurers

Amended Rule: Chapter 945, Annual Report Supplement for Health Insurers

STATUTORY BASIS: 24-A M.R.S. §§ 212 and 423-D

PURPOSE: to coordinate with the recently developed Supplemental Exhibit filed with Annual Statements as part of the Affordable Care Act data collection efforts

SCHEDULE FOR ADOPTION: Summer 2025

AFFECTED PARTIES: health insurers

Financial Regulation of Insurers:**New Rule: Requirements for Eligibility to Operate a Multiple Employer Welfare Arrangement**

STATUTORY BASIS: 24-A M.R.S. §§ 212 and 6616

PURPOSE: to establish standards and procedures for employers to follow to establish and maintain eligibility to operate a multiple employer welfare arrangement in Maine

SCHEDULE FOR ADOPTION: Fall 2025

AFFECTED PARTIES: self-insured employers and stop-loss insurers

Property and Casualty Insurance:**Amended Rule: Chapter 250, Requirements of Eligibility to Self-Insure Workers' Compensation Benefits**

STATUTORY BASIS: 24-A M.R.S. § 212 and 39-A M.R.S. § 403

PURPOSE: to update standards and procedures for employers to establish and maintain eligibility to self-insure their Maine workers' compensation risks

SCHEDULE FOR ADOPTION: Fall 2025

AFFECTED PARTIES: employers self-insured for workers' compensation

New Rule: Chapter 255, Requirements for Workers' Compensation Fronting Companies

STATUTORY BASIS: 24-A M.R.S. § 212 AND 39-A M.R.S. § 403(4-B)

PURPOSE: to provide through major substantive rulemaking standards for the formation of a domestic fronting company formed under 39-A M.R.S. § 403(4-B)

SCHEDULE FOR ADOPTION: Fall 2025

AFFECTED PARTIES: employer members of group self-insurer