

**§2321. Rate filings on individual subscriber and membership contracts**

**1. Filing of rate information.** Every nonprofit hospital and medical service organization shall file with the superintendent every rate, rating formula and every modification of any of the foregoing that it proposes to use in connection with individual health insurance contracts, group Medicare supplement contracts as defined in Title 24-A, chapter 67, group nursing home or long-term care contracts as defined in Title 24-A, chapter 68 or 68-A, and certain group contracts included within the definition of "individual health plan" in Title 24-A, section 2736-C, subsection 1, paragraph C. Every filing under this subsection must state the effective date of the filing. Every filing under this subsection must be made not less than 60 days in advance of the stated effective date unless the 60-day requirement is waived by the superintendent for a period of time not to exceed 30 days.

[PL 2009, c. 244, Pt. C, §1 (AMD).]

**2. Filing information.** When a filing is not accompanied by the information upon which the organization supports such filing, or the superintendent does not have sufficient information to determine whether such filing meets the requirements that the rates not be excessive, inadequate or unfairly discriminatory, the superintendent shall require the organization to furnish the information upon which it supports the filing. A filing and supporting information are public records within the meaning of Title 1, section 402, subsection 3 and become part of the official record of any hearing held pursuant to section 2322. For the purpose of determining whether the filing produces rates that are not excessive, inadequate or unfairly discriminatory, the superintendent and the Attorney General each may employ consultants, including actuaries, and the reasonable costs of the consultants, including actuaries, which must include costs of testifying at any hearing held pursuant to section 2322, must be borne by the organization making such filing. The organization is not responsible for any costs from the Attorney General exceeding \$40,000 for any filing.

[PL 1997, c. 344, §6 (AMD).]

**3. Three-year review.**

[PL 1997, c. 344, §6 (RP).]

**4. Criteria for special rate hearings.**

[PL 2009, c. 244, Pt. C, §2 (RP).]

**5. Special rate hearing.**

[PL 2009, c. 244, Pt. C, §3 (RP).]

**SECTION HISTORY**

PL 1977, c. 493, §2 (NEW). PL 1979, c. 558, §§1,2 (AMD). PL 1985, c. 648, §1 (AMD). PL 1991, c. 9, §G5 (AMD). PL 1991, c. 48, §§1,2 (AMD). PL 1997, c. 344, §6 (AMD). PL 2001, c. 432, §§2,3 (AMD). PL 2003, c. 428, §F1 (AMD). PL 2009, c. 244, Pt. C, §§1-3 (AMD).

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