

Department of Consumer & Business Services
Oregon Insurance Division - 5
P.O. Box 14480
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Salem, Oregon 97309 Phone (503) 947-7983

**Standard Provisions for Individual and Group Standardized 2010 Medicare Supplement
Standard or Select**

This checklist must be submitted with your filing, in compliance with OAR 836-010-0011(2). This list includes the national standards, relevant statutes, rules, and other documented positions to enforce ORS 731.016. The standards are summaries and a review of the entire statute or rule may be necessary. Complete each item to confirm that diligent consideration has been given to each and is certified by the signature on the certificate of compliance form. "Not applicable" can be used only if the item does not apply to the coverage being filed. Any line left blank will cause this filing to be considered incomplete. Not including the required information or the policy provisions may result in disapproval of the filing. *(If submitting your filings electronically, bookmark the provision(s) in the form(s) that satisfy the requirement and identify the page/paragraph on this form.)*

INSURER NAME: _____

DATE: _____

Please indicate the type of file you are submitting:

- TOI (type of insurance):**
- MS07I Individual Medicare supplement - Medicare select
 - MS08I Individual Medicare supplement - Standard plans
 - MS07G Group Medicare supplement - Medicare select
 - MS08G Group Medicare supplement - Standard plans
 - MS09 Medicare supplement - Other

Sub TOI:

- | | |
|--|--|
| <input type="checkbox"/> MS07I.001 to .012 All plans | <input type="checkbox"/> Filing specific plans (<i>identify</i>) _____ |
| <input type="checkbox"/> MS08I.001 to .011 All plans | <input type="checkbox"/> Filing specific plans (<i>identify</i>) _____ |
| <input type="checkbox"/> MS07G.001 to .012 All plans | <input type="checkbox"/> Filing specific plans (<i>identify</i>) _____ |
| <input type="checkbox"/> MS08G.001 to .011 All plans | <input type="checkbox"/> Filing specific plans (<i>identify</i>) _____ |
| <input type="checkbox"/> MS09.000 Other | |

For a group policy that is to be issued to a trust, association, or discretionary group that has not been previously approved, the filing must include a complete transmittal and Product Standards form, 440-2441A or 440-2441D, found on our web-site at:

<http://oregoninsurance.org/docs/serff/association%26trusts.html>

Benefit Chart of Medicare Supplement Plans Sold for Effective Dates on or After June 1, 2010

- **Basic Benefits:**
- **Hospitalization** – Part A coinsurance plus coverage for 365 additional days after Medicare benefits end.
- **Medical Expenses** – Part B coinsurance (generally 20% of Medicare-approved expenses) or co-payments for hospital outpatient services. Plans K, L and N require insured to pay a portion of Part B coinsurance or co-payments.
- **Blood** – First three pints of blood each year.
- **Hospice** – Part A coinsurance.

Instructions:

Plan being filed: place check in box for plan being filed.

Left column: Please check “Yes” the filing complies or N/A for not applicable

PLAN	A	B	C	D	F	F*	G	K	L	M	N
Filing For:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Complies								Hospitalization and preventive care paid at 100%; other basic benefits paid at 50%	Hospitalization and preventive care paid at 100%; other basic benefits paid at 75%	Basic, including 100% Part B coinsurance	Basic, including 100% Part B coinsurance, except up to \$20 copayment for office visit, and up to \$50 copayment for ER
Yes <input type="checkbox"/> N/A <input type="checkbox"/>	Basic, including 100% Part B coinsurance	Basic, including 100% Part B coinsurance	Basic, including 100% Part B coinsurance	Basic, including 100% Part B coinsurance	Basic, including 100% Part B coinsurance*	Basic, including 100% Part B coinsurance*	Basic, including 100% Part B coinsurance				
Yes <input type="checkbox"/> N/A <input type="checkbox"/>			Skilled Nursing Facility Coinsurance	Skilled Nursing Facility Coinsurance	Skilled Nursing Facility Coinsurance	Skilled Nursing Facility Coinsurance	Skilled Nursing Facility Coinsurance	50% Skilled Nursing Facility Coinsurance	75% Skilled Nursing Facility Coinsurance	Skilled Nursing Facility Coinsurance	Skilled Nursing Facility Coinsurance
Yes <input type="checkbox"/> N/A <input type="checkbox"/>		Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	50% Part A Deductible	75% Part A Deductible	50% Part A Deductible	Part A Deductible
Yes <input type="checkbox"/> N/A <input type="checkbox"/>			Part B Deductible		Part B Deductible	Part B Deductible					
Yes <input type="checkbox"/> N/A <input type="checkbox"/>					Part B Excess (100%)	Part B Excess (100%)	Part B Excess (100%)				
Yes <input type="checkbox"/> N/A <input type="checkbox"/>			Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency			Foreign Travel Emergency	Foreign Travel Emergency
Yes <input type="checkbox"/> N/A <input type="checkbox"/>								Out-of-pocket limit\$[4440]; paid at 100% after limit reached	Out-of-pocket limit\$[2220]; paid at 100% after limit reached		I

* Plan F also has an option called a high deductible plan F. This high deductible plan pays the same benefits as Plan F after one has paid a calendar year [\$1900] deductible. Benefits from high deductible plan F will not begin until out-of-pocket expenses exceed [\$1900]. Out-of-pocket expenses for this deductible are expenses that would ordinarily be paid by the policy. These expenses include the Medicare deductibles for Part A and Part B, but do not include the plan's separate foreign travel emergency deductible.

Review Requirements	Reference	Description of Review Standards Requirements	Location of Provision in Forms (page and paragraph)	
GENERAL REQUIREMENTS (FOR ALL FILINGS)				
Product Locator		Were the forms in this filing developed with the NAIC Product Locator, Oregon information? <i>(The requirements on this document are substantially the same as those on the Product Locator for consistency in drafting and meeting these filing requirements.)</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Submission package requirements	OAR 836-010-0011 As required on SERFF or our Web site	<p>Required forms are located on SERFF or on our Web site: www.oregoninsurance.org/docs/serff/filing_requirements.htm. In order for your filing to be accepted, it must include the following documents:</p> <ol style="list-style-type: none"> 1. NAIC transmittal form(paper filing only). 2. Filing description on transmittal form (cover letter). 3. Third party filer’s letter of authorization. 4. Certificate of compliance form signed by authorized person. 5. Readability certification. 6. Product standards for forms (this document). Every line item must be completed on the product standards. 7. Actuarial memorandum with an overview of the contents of the filing and the reasons and procedures used to derive the rates. 8. Forms filed for approval. (If filing revised forms, include a highlighted copy of the revised form to identify the modification, revision, or replacement language.) 9. For mailed filings, submit two sets of the complete filing and one self-addressed stamped envelope, large enough for the Insurance Division to return the approved forms. 10. All relevant components listed on our web-site for this product must be completed and submitted with this filing. The filing will be disapproved if all the required components are not attached in accordance to the directions outlined on our web-site. 11. If you are submitting your filing electronically, each form item must be bookmarked. 12. See additional submission requirements. 	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>

Review Requirements	Reference	Description of Review Standards Requirements	Location of Provision in Forms (page and paragraph)	
	Additional submission requirements for Medicare	<p>The filing includes:</p> <ol style="list-style-type: none"> 1. Related advertising material to be used with new forms. ORS 742.009, ORS 743.687, and OAR 836-052-0170. 2. Outline of coverage. ORS 743.685. For Medicare standard, OAR 836-052-0160, see Exhibit- Appendix C; For Medicare Select, see OAR 836-052-0139(1) (a)-(g) and OAR 836-052-0139(12) (a). 3. Application for replacement coverage and notice of replacement form. OAR 836-052-0165(1)-(6), OAR 836-052-0165, and OAR 836-052-0142. 4. For Medicare select filings, a plan of operation. OAR 836-052-0139(5) & (6). 5. For Medicare select filings, a current list of network providers. OAR 836-052-0139(7) (b). 	<p>Yes</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>
Review requested	ORS 742.003(1), ORS 742.005(1), and OAR 836-010-0011(4)	<p>The following are submitted in this filing for review:</p> <ol style="list-style-type: none"> 1. New policy and/or certificate. Includes related advertising material (ORS 742.009, ORS 743.687, and OAR 836-052-0170). 2. Amendment to an approved form. 3. Addition of supplemental options to previously approved plans. 	<p>Yes</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>
Filing description on transmittal form		<p>The filing description (cover letter) includes the following:</p> <ol style="list-style-type: none"> 1. Summary of the differences between prior approved like forms and the new forms. 2. The differences between in-network and out-of-network, if applicable. 	<p>Yes</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>
Advertising Material	ORS 742.009 ORS 743.687, and OAR 836-052-0170	<p>Related advertising material to be used with new policy form filings is included, and it follows the standards for marketing Medicare Supplement policies as stipulated in OAR 836-052-0175. Also, form 440-3308H must be filled out. See Link at: http://www.insurance.oregon.gov/insurer/rates_forms/rateform_healthadvertising-hints.html</p>	<p>Yes</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>
Redline version	OAR 836-010-0011(3)	<p>Forms filed for approval. If filing revised forms, include a highlighted or redline copy of the revised form to identify the modification, revision, or replacement language. The cover letter must identify any exceptions the insurer is using to modify the required design.</p>	<p>Yes</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>

(Skip to Requirements for Rates if only filing a rate change.)

FORMS			
Review Requirements	Reference	Description of Review Standards Requirements	Location of Provision in Forms (page and paragraph)
Associations/trusts/discretionary groups	ORS 731.486, ORS 743.522-524 Form 440-2441	Transmittal and standards for qualifying an association, trust, or discretionary group (use form 440-2441A or 440-2441D).	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Assumption certificates	Form 440-3637	File under checklist of standards for <u>Changes to Business Operations that Require a Filing</u> , form 440-3637.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Applicability	OAR 836-052-0136(7)	If the policy or certificate contains new or innovative benefits, in addition to the benefits provided in a policy or certificate that otherwise complies with the applicable standards, the new or innovative benefits may include benefits that are appropriate to Medicare Supplement insurance. New or innovative benefits are those that are not otherwise available, are cost-effective, and offered in a manner consistent with the goal of simplification of Medicare supplement policies.	
Application	Form 440-2442H	Product Standard, form 440-2442H, must be included in the filing if an application form is submitted.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	OAR 836-052-0165	The statements and questions contained on the application comply with OAR 836-052-0165.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Cover page	National standards	<ol style="list-style-type: none"> 1. The full corporate name of the insuring company appears prominently on the first page of the policy. 2. A marketing name or insurer's logo, if used on the policy, does not mislead as to the identity of the insuring company. 3. The insuring company address, consisting of at least a city and state, appears on the first page of the policy. 4. The signature of at least one company officer appears on the first page of the policy. 5. The individual certificate includes a 30-day right-to-examine provision that appears on the cover page of the certificate. (Not applicable to riders, endorsements, and addendums.) ORS 743.686 and OAR 836-052-0160(1)(e) 6. A form-identification number appears in the lower left-hand corner of the forms. (The form number is adequate to distinguish the form from all others used by the insurer). 	Yes <input type="checkbox"/> N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Cover page (continued)	National standards	<p>7. The policy contains a brief caption that appears prominently on the cover page and describes the type of coverage.</p> <p>(a) A caption of the type of coverage provided identified by the letter of the standardized plan. (Example: Medicare Supplement Policy Plan A).</p> <p>(b) An indication that the policy is a Medicare Supplement policy.</p> <p>(c) A provision indicating that the policy coverage shall be guaranteed renewable and that the insurer reserves the right to change premiums and any renewal premium increases OAR836-052-0160 (1)(a)</p> <p>8. The policy displays a notice that states "Notice to buyer: This policy may not cover all of your medical expenses." The notice appears prominently on the first page of the policy by type, stamp, or other appropriate means. OAR 836-052-0175(1)(c)</p> <p>9. The policy includes a table of contents that clearly identifies where to locate the provisions. ORS 743.106(1) (d).</p>	<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>
Clarity/ readability	ORS 742.005(2)	Forms are clear and understandable in their presentation of premiums, labels, description of contents, title, headings, backing, and other indications (including restrictions) in the provisions. The information is clear and understandable to the consumer and is not unintelligible, uncertain, ambiguous, abstruse, or likely to mislead.	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
	ORS 743.106(1)(d) & ORS 743.103	Policy and certificate contain a table of contents or index of the principal sections if longer than three pages or over 3,000 words.	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
Form numbers	ORS 743.405(7)	All forms must include a uniform form number in the lower left-hand corner of each page. The policy and certificate are filed under one form number which provides core coverage with all the basic requirements. Basic policy requirements are not bracketed unless an alternative selection is included. Additional optional benefits to the policyholder are filed under separate form numbers. (See guidelines on our Web site: www.oregoninsurance.org/docs/healthun/health6.htm .)	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
Limits	OAR 836-052-0160(1)(b)	Each rider or endorsement added to the policy at the date of issue or at reinstatement or renewal that reduces or eliminates benefits or coverage, requires a signature of acceptance by the insured.	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
Variable data	ORS 742.005(2)	Variable data must be bracketed. Identify all applicable options or ranges of variables. The variable data maybe included within the policy and certificate or submitted as a separate form, identified by a form number (Example of bracketed variable: <i>Maximum benefits [\$5,000-\$200,000]</i>). The minimum and maximum variables must be included in an actively marketed plan.	Yes N/A <input type="checkbox"/> <input type="checkbox"/>

(Skip to Requirements for Rates if only filing a rate change.)

POLICY PROVISIONS			Location of Provision in Forms (page and paragraph)
Arbitration	ORS 36.600 to ORS 36.740	Voluntary arbitration is permitted by the Oregon Constitution and statutes after all internal appeal levels and can be binding by consent of the covered participant. <i>(If the policy provides for arbitration when claim settlement cannot be reached, the enrollee may elect arbitration by mutual agreement at the time of the dispute. Arbitration takes place under the laws of Oregon held in the insured's county or another place agreed upon at the insured's option.)</i>	
Benefit reimbursement	OAR 836-052-0132 and OAR 836-052-0141	Medicare Supplement benefit plans A-D, F-G and K-N include all required standard benefits outlined in OAR 836-052-0132 and OAR 836-052-0141. Including the new basic core benefit Hospice Care and Respite Care expenses per OAR 836-052-0132 (2)(f)	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	OAR 836-052-132(3)	Show where (page number) the following additional benefits in the Medicare Supplement benefit plans B,C,D, F, F with high deductible, G, M, and N as provided by OAR 836-052-0141 are located in this contract. <ol style="list-style-type: none"> 1. Medicare Part A deductible benefit, providing coverage for 100 percent of the Medicare Part A inpatient hospital deductible amount per benefit period. 2. Medicare Part A deductible benefit, providing coverage for 50 percent of the Medicare Part A inpatient hospital deductible amount per benefit period. 3. Skilled Nursing Facility Care benefit, providing coverage for the actual billed charges up to the coinsurance amount from the 21st day through the 100th day in a Medicare benefit period for post-hospital skilled nursing facility care eligible under Medicare Part A. 4. Medicare Part B Deductible benefit, providing coverage for 100 percent of the Medicare Part B deductible amount per calendar year regardless of hospital confinement. 5. 100 percent of the Medicare Part B Excess Charges benefit, providing coverage for 100 percent of the difference between the actual Medicare Part B charges as billed, not to exceed any charge limitation established by the Medicare program or state law, and the Medicare-approved Part B charge. 	

Benefit reimbursement (continued)		6. Medically Necessary Emergency Care in a Foreign Country, providing coverage to the extent not covered by Medicare for 80 percent of the billed charges for Medicare-eligible expenses for medically necessary emergency hospital, physician and medical care received in a foreign country, when the care would have been covered by Medicare if provided in the United States and when the care began during the first 60 consecutive days of each trip outside the United States, subject to a calendar year deductible of \$250, and a lifetime maximum benefit of \$50,000. For purposes of this benefit, "emergency care" means care needed immediately because of an injury or an illness of sudden and unexpected onset.	
	OAR 836-052-0139 (8)(a) and (b)	This Medicare Select policy or certificate includes a provision that pays for covered services provided by non-network providers if the services are for symptoms requiring emergency care or when immediate care is required. In addition to services provided by a non-network provider when it is not reasonable to obtain services through a network provider.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	OAR 836-052-0139 (9)	This Medicare Select policy or certificate includes provisions that pay for full coverage of covered services that are not available through network providers.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	OAR 836-052-0139 (10)(c)	This Medicare Select policy or certificate includes a description of the restricted network provisions, including payments for coinsurance and deductibles when providers other than network providers are utilized. Except to the extent specified in the policy or certificate, expenses incurred when using out-of-network providers do not count toward the out-of-pocket annual limit contained in plans K and L.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
	OAR 836-052-0132 (1)(c)	This Medicare supplement policy shall provide that benefits designed to cover cost sharing amounts under Medicare will be changed automatically to coincide with any changes in the applicable Medicare deductible, copayment, or coinsurance amounts. Premiums may be modified to correspond with such changes.	
Cancellation and nonrenewal	OAR 836-052-0132 (1)(e)(B)	The insurer cannot cancel or non-renew the policy for any reason other than non-payment of premium or material misrepresentation discovered within two years after the policy effective date.	
Claim forms	ORS 743.426	Upon receipt of a notice of claim, the insurer will furnish to the claimant such forms which are usually furnished by filing proof of loss. If such forms are not furnished within 15 days after the giving of such notice of claim, the claimant shall be deemed to have complied with the requirements of the policy.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

Claims settlement	OAR 836-052-0139 (12)	Medicare Select forms explain procedures for handling complaints and grievances in a mutually agreed upon manner.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Continuation of coverage	OAR 836-052-0139 (15)	Medicare Select forms provide for continuation of coverage in the event the Secretary of HHS determines that Medicare select policies/certificates should be discontinued due to failure of the Medicare Select Program to be reauthorized under law or its substantial amendment.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0132 (1)(c)	If the Medicare supplement policy is terminated by the group policyholder and not replaced, the issuer shall offer continuation of the benefits.		
Definitions	OAR 836-052-0119 (13)	A Medicare Supplement policy does not include Medicare Advantage plans established under Medicare Part C, Outpatient Prescription Drug plans established under Medicare Part D, or any Health Care Prepayment Plan (HCPP) that provides benefits pursuant to an agreement under Sec. 1833(a)(1)(A) of the Social Security Act.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Discrimination	OAR 836-052-0124	The Medicare Supplement policy or certificate contains definitions or terms that conform to the requirements prescribed under this section. Accident, Injury, Benefit Period, Convalescent Nursing Home, Health Care Expenses, Hospital, Medicare, Medicare Eligible Expenses, Physician and Sickness.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0139 (3)	Medicare Select forms conform to definitions outlined within this section. (Complaint, Grievance, Medicare Select Issuer, Medicare Select Policy, Network Provider, Restricted Network Provision and Service Area.)	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0132 (1)(b)	This Medicare supplement policy shall not cover losses resulting from sickness on a different basis than losses resulting from accidents.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0138 (1)(4)(5)(a)(b)	The disabled may not be treated different than those who qualify by reason of age.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0192 (2)(b)	A Medicare supplement policy shall not discriminate in the pricing of the policy including the adjustment of premium rates of an individual on the basis of the genetic information with respect to the individual.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0192 (4)(7)	The policy or certificate shall not request or require a family member or individual to undergo a genetic test or genetic testing. Unless, research complies with Code of Federal Regulations, and the insurer communicates that compliance is voluntary and will not have effect on enrollment status or premium or contribution amounts.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>

Eligibility	OAR 836-052-0138 (1)	Filing includes open-enrollment standards.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0142 (3)	Guaranteed-issue periods are 63 days, according to the qualified provision.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0142 (2)	<p>“Eligible persons,” is defined as one of the following:</p> <p>(a) An individual enrolled under an employee welfare benefit plan that: (1) supplements the benefits under Medicare and the plan terminates or ceases to provide all supplemental health benefits; or (2) is primary to Medicare and the plan terminates or ceases to provide all health benefits.</p> <p>(b) An individual enrolled with a Medicare Advantage organization under a Medicare Advantage plan under Part C of Medicare, and any of the circumstances apply under OAR 836-052-0142(2)(b), or the individual is 65 years of age or older and is enrolled with a program of All Inclusive Care for the Elderly (PACE) provider under section 1894 of the Social Security Act, and there are circumstances similar to those described in this subsection that would permit discontinuance of the individual's enrollment with the provider if the individual were enrolled in a Medicare Advantage plan.</p> <p>(c) An individual enrolled with an eligible organization defined in OAR 836-052-0142(2) (c) (A) and (B).</p> <p>(d) An individual enrolled under a Medicare Supplement policy and the enrollment ceases due to circumstances described in OAR 836-052-0142(2) (d).</p> <p>(e) An individual enrolled under a Medicare Supplement policy and terminates enrollment and subsequently enrolls under circumstances prescribed in OAR 836-052-0142(2) (e) (A) and (B).</p> <p>(f) An individual, upon first becoming enrolled for benefits under Medicare part A, enrolls in a Medicare Advantage plan under part C of Medicare, or with a PACE provider under Section 1894 of the Social Security Act, and disenrolls from the plan or program no later than 12 months after the effective date of enrollment.</p>	Yes <input type="checkbox"/>	<input type="checkbox"/>
	OAR 836-052-0142 (2)(g) and OAR 836-052-142 (5)(d)	(g) An individual enrolled in a Medicare Part D plan during the initial enrollment period and, at the time of enrollment in Part D, was enrolled under a Medicare supplement policy that covers outpatient prescription drugs and the individual terminates enrollment in the Medicare Supplement policy and submits evidence in Medicare Part D along with the application for a policy described in OAR 836-052-0142(5) (d).	<input type="checkbox"/>	

Eligibility (continued)	OAR 836-052-0192 (2)(a)	An issuer of Medicare Supplement policy or certificate shall not: Deny or condition the issuance or effectiveness of the policy or certificate including imposition of any exclusion of benefits under the policy based on a pre-existing condition on the basis of genetic information.	Yes <input type="checkbox"/>
	OAR 836-052-0192 (7)(c)	No genetic information collected or acquired may be used for underwriting, determination of eligibility to enroll or maintain enrollment status, premium rates, or the issuance, renewal or placement of a policy or certificate	Yes <input type="checkbox"/>
	OAR 836-052-0192 (8)(9)	An issuer of Medicare supplement policy or certificate shall not request, require or purchase genetic information for underwriting purposes.	Yes <input type="checkbox"/>
Entire contract	ORS 743.411	The policy, including the endorsements and attached papers, if any, constitutes the entire contract of insurance.	
Examination of contract (Free look)	ORS 743.686; OAR 836-052-0160 (1)(e)	The policy or certificate has a notice printed prominently on the first page of the policy or certificate or attached thereto stating that the applicant has the right to return the policy or certificate within 30 days of its delivery and have the premium refunded if, after examination of the policy or certificate, the applicant is not satisfied for any reason.	
Grace period	ORS 743.417	A minimum grace period of 10 days after the premium due date will be granted for the payment of each premium falling due after the first premium, during which grace period the policy shall continue in force.	
Legal actions	ORS 743.441	A provision for legal actions includes the following: "No action at law or in equity shall be brought to recover on this policy prior to the expiration of 60 days after written proof of loss has been furnished in accordance with the requirements of this policy. No such action shall be brought after the expiration of three years after the time written proof of loss is required to be furnished."	
Primary Coverage	OAR 836-052-0132 and OAR 836-052-0141	This filing seeking approval for a policy or certificate containing new and innovative plans complies with all regulation stipulation on OAR 836-052-0132 and OAR 836-052-0141	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
Medicare supplement: standard plans	OAR 836-052-0141 (5)	Plans to be offered for sale include only the following: Plan A, Plan C, Plan D, Plan F, Plan F with high deductible, Plan G, Plan K, Plan L, Plan M and Plan N.	
	OAR 836-052-0141	If an insurer makes available any of the additional benefits described in OAR 836-052-0132(3) or offers standardized benefit Plans K or L, then standardized Plan C or Plan F must also be offered.	

Medicare supplement: standard plans (continued)	OAR 836-052-0141 (5)(g) and OAR 836-052-0141(h) & (i)	Include the make-up of two additional Medicare Supplement benefit plans, "K" and "L" as mandated by The Medicare Prescription Drug Improvement, and Modernization Act of 2003 (MMA), as described in OAR 836-052-0141(5).	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0151 (2)	Any riders or amendments to policy or certificate forms shall be filed only with the Insurance Commissioner in the state in which the policy or certificate was issued. In order to delete outpatient prescription drug benefits as required by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0119 (13)	Medicare Supplement policy does not include Medicare Advantage plans established under Medicare Part C, Outpatient Prescription Drug plans established under Medicare Part D, or any Health Care Prepayment Plan (HCPP) that provides benefits pursuant to an agreement under Sec. 1833(a)(1)(A) of the Social Security Act.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0151 (4)(a)	A new or innovative benefit is offered in addition to one of the 12 (Group) or 8 (Individual) standardized Medicare Supplement benefit plans. <i>(To qualify, the insurer is required to pay some portion of the cost of a covered item or service rather than arranging for a reduced price for the item or service.)</i>	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Notice of claim	ORS 743.423(1)	Written notice of claim must be given to the insurer within 20 days after the occurrence or commencement of any loss covered by the policy or as soon thereafter as is reasonably possible.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Other insurance	ORS 743.683	The policy does not contain benefits that duplicate benefits provided by Medicare.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Payment of claims	OAR 836-052-0132 (2)(c)	The policy contains a provision indicating: The provider must accept the issuer's payment as payment in full and may not bill the insured for any balance.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
		Payment of claims include the following provision: Upon exhaustion of the Medicare hospital inpatient coverage including the lifetime reserve days, coverage of 100% of the Medicare Part A eligible expenses for hospitalization paid at the applicable prospective payment system (PPS) rate, or other appropriate Medicare Standard of payment, subject to a lifetime maximum benefit of an additional 365 days.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	ORS 743.435	A provision for payment of claims includes the following: "Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment, which may be prescribed herein and effective at the time of payment. If no such designation or provision is in effect, such indemnity shall be payable to the estate of the insured."	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>

Payment of Claims (cont'd)	ORS 743.432	A provision for time of payment of claims includes the following: "Indemnities payable under this policy will be paid immediately upon receipt of due written proof of loss. Losses for which this policy provides periodic payment will be paid (insert period for payment, which must not be less frequently than monthly)."	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Payment of claims (cont'd)	OAR 836-052-0140	Provisions for claims handling are in compliance with OAR 836-052-0140.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Payment plans	OAR 836-052-0139 (6)(a)(E)	Medicare Select forms describe supplemental charges or coinsurance amounts payable by the insured that does not allow for providers to bill or seek reimbursement for covered services.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
Physical examination/ autopsy	ORS 743.438	The insurer, at its own expense, has the right to examine any person covered by the insured, when and as often as it maybe reasonably required, while a claim is pending.	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0141 (4)	An issuer of Medicare Supplement policy or certificate shall not request or require an individual or family member of the individual to undergo a genetic test. If a request is made by the insurer, compliance with the request shall be voluntary and non-compliance will have no effect on enrollment status, premium or contribution amounts per OAR 836-052-0141 (7)(b)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Pre-existing conditions	OAR 836-052-0160 (1)(d)	If the policy or certificate contains any limitations with respect to pre-existing conditions, such limitations must appear in a separate paragraph of the policy and labeled "Pre-existing Condition Limitations."	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0132 (1)(a)(A)(B), ORS 743.683(5)	The policy shall not exclude or limit benefits for loss incurred more than six months after the effective date of coverage because the loss involved a pre-existing condition; The policy shall not define a pre-existing condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six months before the effective date of coverage.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	ORS 743.683(5), OAR 836-052-0132 (1)(a)	The policy does not define a pre-existing condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six months before the policy's effective date.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0132 (1)(E)	If a group Medicare supplement policy is replaced by another group Medicare supplement policy. The issuer of the replacement policy shall not result in any exclusion for preexisting conditions that would have been covered under the group policy being replaced.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Prescription drug	OAR 836-052-0129 (4)(b)	A Medicare Supplement policy with benefits for outpatient prescription drugs may not be issued after December 31, 2005. Does this policy offer prescription drug coverage?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0133 (4)(f)(g)	For Medicare Supplement Benefit Plans "B" - the Basic Outpatient Prescription Drug benefit may be included for sale or issuance in a Medicare Supplement policy until January 1, 2006. Does the filing offer Plan "B"?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0136(7) and OAR 836-052-0141(6)	The filing complies with OAR 836-052-041(6) in that the policy or certificate contains new or innovative benefits, but these innovative benefit do not include an outpatient drug benefit after December 31, 2005.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Proof of loss	ORS 743.429	A statement in the policy shall contain a provision as follows: "PROOF OF LOSS: Written proof of loss must be furnished to the insurer at its office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within 90 days after the termination of the period for which the insurer is liable and in case of claim for any other loss within 90 days after the date of such loss. Failure to furnish such proof within the time required shall not invalidate or reduce any claim if it was not reasonably possible to give proof within such time, provided such proof is furnished as soon as reasonably possible and in no event, except in the absence of legal capacity, later than one year from the time proof is otherwise required."		
Reinstatement	ORS 743.420	Provision states that if the renewal premium has not been paid within the time granted and an insurer or authorized agent accepts a subsequent premium it shall reinstate the policy. The only exception is an application for reinstatement required to be submitted by the enrollee and accepted by the insurer.		
Renewability	OAR 836-052-0132 (1)(e)(A)(B)(C)(D)(E)	A Medicare supplement shall be guaranteed renewable and shall meet requirements outlined under this section.		
	OAR 836-052-0132 (1)(f)	The policy or certificate includes a provision where the receipt of Medicare Part D benefits will not be considered in determining a continuous loss.		
	OAR 836-052-0151 (4)(a)	If filed as an optional rider, the Innovative benefits are not guaranteed renewable, the rider is offered to all policyholders (with a particular plan) or to none of them.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0132 (1)(f)	The innovative benefit is offered only with one of the 10 standardized Medicare-supplement benefit plans. <i>To qualify, the insurer pays a portion of the cost of a covered service or item and does not arrange for a reduced price for that service or item.</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Renewability (continued)	OAR 836-052-0151 (5)(A) and (B), and Form 440-2896	If this filing contains a discontinuance of a policy form or certificate form for new issues, a transmittal form 440-2896 is submitted and approved. The insurer shall continue all outstanding policies and certificates in existence under the discontinued policy or certificate form. <i>(Discontinuance or availability of a policy or certificate form will be subject to a 5-year ban. The insurer will be prohibited from filing for approval a new policy form or certificate form of the same type during the ban period.)</i>	Yes <input type="checkbox"/>	N/A <input type="checkbox"/>
	OAR 836-052-0160 (1)(a)	Renewal or continuation provision is on the first page of the policy. This includes any automatic renewal premium increases based on the policyholder's age.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0160 (2)(a)	The insurer will notify the policyholder no later than 30 days prior to the annual effective date of any Medicare benefit change; benefit modifications and any premium adjustment requiring prior approval.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0132 (1)(g)(A)	The policy contains a provision stating that the benefits and premiums under the policy may be suspended upon request by the policyholder for a period not to exceed 24 months. (The policyholder must notify the insurer within 90 days after the date that the policyholder becomes entitled to assistance by Medicaid.)		
	OAR 836-0132(1)(g)(A)	If there is suspension, then reinstatement of the policy occurs pursuant to the applicable provisions outlined in OAR 836-052-0132(1)(g)(D).		
	OAR 836-052-0133(2)(g)(D)(ii)	If the suspended Medicare Supplement policy provided coverage for outpatient prescription drugs, reinstatement of the policy for Medicare Part D enrollees shall be without coverage for outpatient prescription drugs and shall otherwise provide substantially equivalent coverage to the coverage in effect before the date of suspension.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0132(1)(d)	A Medicare supplement policy or certificate shall not provide for termination of coverage of a spouse solely because of the occurrence of an event specified for termination of coverage of the insured, other than the nonpayment of premium.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	OAR 836-052-0132(1)(f)	Termination of a Medicare supplement policy shall be without prejudice to any continuous loss which commenced while the policy was in force.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	ORS 743.414	After two years from the date of policy issue, no misstatements except fraudulent misstatements, made by the applicant in the application for such policy shall be used to void the policy or deny a claim.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Suspension	OAR 836-052-0132 (1)(g)(A)(D)	This policy shall provide the opportunity for suspension at the request of the Policyholder or Certificate holder for a period not to exceed 24 months.		

RATE REQUIREMENTS

Rate change filing	ORS 743.018 and ORS 743.684 OAR 836-052-0145(3)	Premium changes are subject to prior approval and should not be filed more than once in a twelve-month period. Annual rate filing requirement	
	ORS 742.003	The following review is requested: 1. New rate filing. 2. Rate change. 3. Informational.	Requested <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	OAR 836-010-0011	Mark the type of health underwriting filed for the forms included in this rate request: 1. Full underwriting. 2. Simplified underwriting. 3. No underwriting.	Check one <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Actuarial certification	National standard	Actuarial memorandum is signed by an accredited actuary.	Yes <input type="checkbox"/>
Loss ratio standards	OAR 836-010-0021(1)	Successive generic policy forms of similar benefits covering generations of policyholders must be combined in the calculation of premium rates and loss ratios.	Yes <input type="checkbox"/>
	OAR 836-052-0145(1)(b)	Aggregate benefits shall be calculated on the basis of incurred claims experiences or health care expenses where coverage is provided by a health maintenance organization on a service rather than reimbursement basis and earned premium for the period. Incurred health care expenses where coverage is provided by a health maintenance organization shall not include services outlined in this subsection.	Yes <input type="checkbox"/>
	OAR 836-052-0145(2)(c)	Refund and credit calculations on policies or certificates issued prior to September 1, 2003, shall be made separately for all individual policies, including all group policies subject to an individual loss ratio standard when issued, combined and all other group policies combined for experience after January 1, 2006.	Yes <input type="checkbox"/>

Ratemaking generally	Form 440-2462	An Appendix A is included in filing supporting the rate change requested, plus projections for a 10-year period, and the overall loss ratio from policy inception for Oregon and your company's national experience. See Web site: http://www.oregoninsurance.org/docs/serff/individual_health.htm	Yes <input type="checkbox"/>
	OAR 836-010-0011	A complete actuarial memorandum with a description of all policy benefits is included.	Yes <input type="checkbox"/>
		Data includes the expected experience of the new rate or existing rate for the projected calculating period over which the actuary expects the premium rates to remain adequate, based on estimated future experience and no expected rate increases.	Yes <input type="checkbox"/>
		Information includes the source of the data, any new or experimental benefit, any concerns about the reliability of projections, any abrupt changes in the experience, and any substantial differences between the actual and expected experience are included.	Yes <input type="checkbox"/>
		A statement that the grouping of policy forms has not changed or all changes are fully explained. Experience of forms must be grouped with respect to similar types of benefits, claims experience, reserves, margins for contingencies, expenses and profit, renewability, underwriting, and equity between policyholders.	Yes <input type="checkbox"/>
		The premium structure, as defined by the classification of insureds in the policy, is not changed at the time of rate increase (e.g., issue age basis to attained age basis).	Yes <input type="checkbox"/>