

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services – Insurance Division	836
Agency and Division	Administrative Rules Chapter Number
Sue Munson	350 Winter St. NE, Salem, OR 97301-3883
Rules Coordinator	Address
	503-947-7272
	Telephone

**RULE CAPTION**

Modify Requirements for Reporting on Health Insurers' External Grievance and Appeal Processes

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

August 4, 2010	1:30 PM	Conf. Rm. E (Basement) 350 Winter St NE, Salem, OR 97301	Jeannette Holman
Hearing Date	Time	Location	Hearings Officer

*Auxiliary aids for persons with disabilities are available upon advance request.*

**\*Note: The hearing will begin at 1:30 PM and end when all present who wish to testify have done so.**

**RULEMAKING ACTION**

**ADOPT:**

**AMEND:** OAR 836-053-1000, 836-053-1070 and 836-053-1080

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : ORS 731.244, 743.814 and 743.819

Other Auth.:

Stats. Implemented: ORS 743.804, 743.807, 743.814, 743.817, 743.819, 743.821, 743.829, 743.837 & 743A.012

**RULE SUMMARY**

ORS 743.804(9) was amended in 2001 (Enrolled House Bill 3040) to include an additional reporting requirement related to applications for external review, but the Insurance Division rules (OAR 836-053-1000, 836-053-1070 and 836-053-1080) were not amended to include the additional reporting requirement. This rulemaking will correct the rules to reflect the statutory requirements. Additionally, OAR 836-053-1070(1) (b) and (h) of the existing rule are confusing and have resulted in inconsistent reporting by the insurers. The amendments to those subsections are intended to eliminate this confusion and inconsistency. Amendments to OAR 836-053-1000 and 836-053-1080 are needed to reflect the amendments to OAR 836-053-1070. In addition, some technical corrections are made throughout to correct incorrect statutory references resulting from a renumbering of ORS 743.699 to ORS 743A.012.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

August 13, 2010

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

(Signed)	Teresa D. Miller, Insurance Administrator	June 10, 2010
Signature	Printed name	Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005