

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

Oregon 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

Prompt Pay Requirements and Internal and External Review Procedures for Long Term Care Insurance
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

January 3, 2012	1:30 PM*	Conf. Rm. F, Labor & Industries Bldg., 350 Winter St. NE, Salem	Jeannette Holman
Hearing Date	Time	Location	Hearings Officer

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

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

RULEMAKING ACTION

ADOPT: OAR 836-052-0768 and 836-052-0770

AMEND: OAR 836-052-0508

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 731.244, 743.655 and Section 2, chapter 69, Oregon Laws 2011 (Enrolled Senate Bill 88)

Other Auth.: Sections 2 and 5, chapter 69, Oregon Laws 2011 (Enrolled Senate Bill 88)

Stats. Implemented: ORS 743.655 and Sections 2, 3, 5 and 8, chapter 499, Oregon Laws 2011 (Enrolled Senate Bill 86)

RULE SUMMARY

This rulemaking is necessary to implement chapter 69, Oregon Laws 2011 (Enrolled Senate Bill 88). Senate Bill 88, which became effective May 19, 2011, directs the Department of Consumer and Business Services to adopt rules requiring prompt payment of claims and establishing internal and external review procedures to appeal a determination about whether the conditions of a benefit trigger have been met. This rulemaking satisfies that requirement by establishing an internal and external appeals process for determinations related to benefit triggers and implementing prompt pay requirements. The rules are modeled after the National Association of Insurance Commissioners' Model Regulation #641, Long Term Care Insurance Model Regulations.

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.

January 10, 2012

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

(Signed)	Teresa D. Miller, Insurance Administrator	October 14, 2011
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