

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 799 Session of 2005

INTRODUCED BY BROWNE, O'PAKE, WAUGH, ARMSTRONG, M. WHITE,
BOSCOLA AND RHOADES, JUNE 22, 2005

REFERRED TO BANKING AND INSURANCE, JUNE 22, 2005

AN ACT

1 Amending the act of December 18, 1996 (P.L.1066, No.159),
2 entitled "An act providing for review procedures pertaining
3 to accident and health insurance form and rate filings;
4 providing penalties; and making repeals," further providing
5 for required group rate filings.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3(e) of the act of December 18, 1996
9 (P.L.1066, No.159), known as the Accident and Health Filing
10 Reform Act, is amended to read:

11 Section 3. Required filings.

12 * * *

13 (e) Required group rate filings.--Each [hospital plan
14 corporation, professional health services plan corporation]
15 insurer and HMO shall file with the department rates for
16 accident and health insurance policies which it proposes to
17 issue on a group, blanket or franchise basis in this
18 Commonwealth in accordance with the following:

19 (1) Each [hospital plan corporation, professional health

1 services plan corporation] insurer and HMO shall establish a
2 base rate which is not excessive, inadequate or unfairly
3 discriminatory. The initial base rate for existing [hospital
4 plan corporations, professional health services plan
5 corporations] insurers and HMOs shall be the rate or the
6 rating formula currently on file and approved by the
7 department as of the effective date of this act. The initial
8 base rate or base rating formula for any [hospital plan
9 corporation, professional health services plan corporation]
10 insurer or HMO with no base rate or base rating formula on
11 file and approved as of the effective date of this act shall
12 be subject to filing, review and prior approval by the
13 department.

14 (2) Proposed changes to an approved base rate or any
15 approved component of an approved rating formula which effect
16 an increase or decrease in the approved base rate or in an
17 approved component of an approved rating formula of more than
18 10% annually in the aggregate shall be subject to filing,
19 review and prior approval by the department.

20 (3) Proposed changes to an approved base rate or any
21 approved component of an approved rating formula which effect
22 an increase or decrease in the approved base rate or in an
23 approved component of an approved rating formula of not more
24 than 10% annually in the aggregate shall be subject to filing
25 and review in accordance with the provisions of section 4.

26 (4) Rates developed for a specific group which do not
27 deviate from the base rate or base rate formula by more than
28 15% may be used without filing with the department.

29 (5) Rates developed for a specific group which deviate
30 from the base rate or base rate formula by more than 15%

1 shall be subject to filing and review in accordance with the
2 provisions of section 4.

3 (6) The commissioner shall have discretion to exempt any
4 type or kind of rate filing under this subsection by
5 regulation.

6 * * *

7 Section 2. This act shall take effect in 60 days.