

PUBLICATION

NAIC Develops Form for Proof of Compliance with PPACA Provisions

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As the deadline draws closer for insurance plans to comply with the immediate market reforms of the Patient Protection and Affordable Care Act (PPACA) that will go into effect in September, some state Departments of Insurance (DOI) may require that existing policy forms be refiled reflecting the PPACA amendments. For example, the Louisiana DOI has not yet made a decision as to what it will require. Other states, such as Pennsylvania, are requiring plans to simply complete a certification to the effect that they've made the necessary changes. These states are not requiring refilings at this time. Other state departments are considering advising companies to proceed with implementation of the changes as they relate to policyholders, but allowing the companies until December 31, 2010 to have the amendments filed and approved with their departments.

The National Association of Insurance Commissioners has developed an online form plan administrators can fill out, attach to their existing policy forms and file with their state DOIs as proof of compliance.

HMO or PPO administrators with questions about how to best to bring their forms into compliance with the PPACA or how to interact with their state DOIs should contact their Baker Donelson attorney or any of the attorneys or advisors in Baker Donelson's Health Care Reform group.