

STATE OF OHIO
DEPARTMENT OF INSURANCE
50 West Town Street, 3rd Floor, Suite 300
Columbus, Ohio 43215

IN THE MATTER OF PUBLIC :
HEARING FOR THE AMENDMENT OF :
OHIO ADMINISTRATIVE CODE SECTION :
3901-1-14, 3901-1-58, 3901-5-10, 3901-5-11 : NOTICE OF PUBLIC HEARING
3901-6-01, 3901-6-03, 3901-6-05, 3901-6-08 :
3901-6-10, 3901-6-10.1, 3901-6-10.2, 3901-6-14 :
3901-6-15, 3901-8-01, 3901-8-02, 3901-8-05 :
3901-8-07, 3901-8-11, 3901-8-16 :

Pursuant to section 119.03 of the Ohio Revised Code, the Superintendent of Insurance, State of Ohio, will hold a public hearing at 10:00 a.m., on Monday, October 2, 2023, to consider the amendment of Ohio Administrative Code sections:

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| 3901-1-14 | Credit life and credit accident health insurance. |
| 3901-1-58 | Standard credentialing form for physician and non-physician providers. |
| 3901-5-10 | Rental car insurance agent limited license. |
| 3901-5-11 | Use of senior-specific certifications and professional designations in the marketing, solicitation, negotiation, sale or purchase of a life or health insurance policy or annuity. |
| 3901-6-01 | Solicitation of life insurance and/or annuity contracts. |
| 3901-6-03 | Life insurance disclosure. |
| 3901-6-05 | Replacement of life insurance and annuities. |
| 3901-6-08 | Variable life insurance. |
| 3901-6-10 | Valuation of life insurance policies. . |
| 3901-6-10.1 | Smoker/nonsmoker mortality tables. |
| 3901-6-10.2 | Gender blended mortality tables. |
| 3901-6-14 | Annuity disclosure. |
| 3901-6-15 | Preneed life insurance minimum standards for determining reserve liabilities and nonforfeiture values. |
| 3901-8-01 | Coordination of benefits. |
| 3901-8-02 | Provider discounts. |
| 3910-8-05 | Regulation of third party administrators. |
| 3901-8-07 | Advertisement of sickness and accident insurance. |
| 3901-8-11 | Unfair health claims practices. |
| 3901-8-16 | Required provider network disclosures for consumers. |

The public hearing will be conducted remotely by video conferencing coordinated by the Ohio Department of Insurance (“Department”). Instructions and a web link and/or telephone number for accessing the hearing will be provided on the Department’s web site, www.insurance.ohio.gov. Alternatively, a request for the web link and/or telephone number may be submitted to ecomment@Insurance.ohio.gov.

The Department is committed to providing access and inclusion and reasonable accommodation in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability please contact the Department’s ADA Coordinator, Andrew Skal, by emailing Andrew.Skal@insurance.ohio.gov or calling 1-614-644-3264 or for TTY 711 (then dial) 614-644-3264. Requests made 14 days prior to an event will generally allow us to provide seamless access, but we will make every effort to meet request made after this date.

The purpose of rule 3901-1-14 is to provide a framework for the policies and rates of credit insurance products issued and delivered in Ohio.

Rule 3901-1-14 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-1-58 is to prescribe the standard credentialing form to be used when credentialing or re-credentialing providers. For purposes of this rule, the term "providers" shall have the same meaning as in division (P) of section 3963.01 of the Revised Code.

Rule 3901-1-58 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-5-10 is to set forth procedures and requirements for the issuance of a limited authority rental car agent license.

Rule 3901-5-10 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-5-11 is to set forth standards to protect consumers from dishonest, deceptive, misleading, and fraudulent trade practices with respect to the use of senior-specific certifications and professional designations in the marketing, solicitation, negotiation, sale or purchase of, or advice made in connection with, life or health insurance, or an annuity product.

Rule 3901-5-11 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions, make technical corrections, and make the rule easier for the public to read and understand.

The purpose of rule 3901-6-01 is to set forth standards and protect consumers by establishing certain requirements and prohibiting certain practices related to the solicitation and sale of life insurance and annuity contracts.

Rule 3901-6-01 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions and make the rule easier for the public to read and understand.

The purpose of rule 3901-6-03 is to require insurers to deliver to purchasers of life insurance information which will improve the buyer's ability to select the most appropriate plan of life insurance for the buyer's needs, improve the buyer's understanding of the basic features of the policy which has been purchased or which is under consideration and improve the ability of the buyer to evaluate the relative costs of similar plans of life insurance.

Rule 3901-6-03 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions and make the rule easier for the public to read and understand.

The purpose of rule 3901-6-05 is to regulate the activities of insurers and agents with respect to the replacement of existing life insurance and annuities. This rule protects the interests of life insurance and annuity purchases by establishing minimum standards for conduct in replacing life insurance or annuity policies. It will assure that purchasers receive information with which a decision can be made in his or her own best interest; reduce the opportunity for misrepresentation and incomplete disclosure; and establish penalties for failure to comply with requirements of this rule.

Rule 3901-6-05 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-6-08 is to provide for the regulation of fixed premium and flexible premium variable life insurance policies.

Rule 3901-6-08 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-6-10 is to provide: (a) tables of select mortality factors and rules for their use; (b) rules concerning a minimum standard for the valuation of plans with nonlevel premiums; and (c) rules concerning a minimum standard for the valuation of plans with secondary guarantees. Additionally, the rule also provides that the method for calculating basic reserves defined in this rule will constitute the "Commissioners' Reserve Valuation Method" for policies to which this rule is applicable, based upon the National Association of Insurance Commissioners (NAIC) model.

Rule 3901-6-10 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions, and correct a citation

The purpose of rule 3901-6-10.1 is to implement sections 3915.07, 3915.071, and 3903.72 of the Revised Code by permitting the use of mortality tables that reflect differences in mortality between smokers and nonsmokers in determining minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits for plans of insurance with separate premium rates for smokers and nonsmokers.

Rule 3901-6-10.1 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions, and correct a citation.

The purpose of rule 3901-6-10.2 is to implement section 3915.071 of the Revised Code by permitting individual life insurance policies to provide the same cash surrender values and paid-up nonforfeiture benefits to both men and women. No change in minimum valuation standards is implied by this rule.

Rule 3901-6-10.2 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions, and correct a citation.

The purpose of rule 3901-6-14 is to provide standards for the disclosure of certain minimum information about annuity contracts to protect consumers and foster consumer education. The rule specifies the minimum information that must be disclosed, the method for disclosing it and the use and content of illustrations, if used, in connection with the sale of annuity contracts. The goal of this rule is to ensure that purchasers of annuity contracts understand certain basic features of annuity contracts.

Rule 3901-6-14 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-6-15 is to establish for preneed insurance products minimum mortality standards for reserves and nonforfeiture values, and to require the use of the "1980 Commissioners Standard Ordinary (CSO) Life Valuation Mortality Table" for use in determining the minimum standard of valuation of reserves and the minimum standard nonforfeiture values for preneed insurance products.

Rule 3901-6-15 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-8-01 is to (1) Permit plans to include a coordination of benefits "(COB)" provision; (2) Provide the authority for the orderly transfer of information needed to pay claims promptly; (3) Eliminate duplication of benefits by permitting a plan to reduce benefits paid when, pursuant to this rule, it is not required to pay its benefits first; (4) Reduce claim payment delays; and (5) Further define the "COB" statute.

Rule 3901-8-01 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-8-02 is to set the requirements that third party payers shall follow if the third party payer receives any discount from billed charges from a health care provider.

Rule 3901-8-02 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions and make technical changes.

The purpose of rule 3901-8-05 is to establish regulatory standards for third party administrators.

Rule 3901-8-05 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions and make technical changes.

The purpose of rule 3901-8-07 is to assure truthful and adequate disclosure of all material and relevant information in the advertising of sickness and accident insurance.

Rule 3901-8-07 is being reviewed as part of the agency five-year rule review. The proposed amendments will make necessary technical changes and reduce regulatory restrictions.

The purpose of rule 3901-8-11 is to define certain additional unfair trade practices and to set forth minimum standards in connection with the investigation and disposition of health claims arising under policies, certificates or contracts issued pursuant to Ohio's insurance statutes, rules, and regulations under Titles XVII and XXXIX of the Revised Code.

Rule 3901-8-11 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

The purpose of rule 3901-8-16 is to implement and interpret applicable statutes including sections 3901.21 and 3923.16 of the Revised Code by further defining unfair trade practices and setting forth minimum standards for the adequate disclosure of any limitations or restrictions on access to providers/facilities to enrollees and to potential enrollees prior to enrollment in a particular health plan.

Rule 3901-8-16 is being reviewed as part of the agency five-year rule review. The proposed amendments will reduce regulatory restrictions.

Requests for copies of these rules should be addressed to Tina Chubb, Ohio Department of Insurance, 50 West Town Street, 3rd Floor, Suite 300, Columbus, Ohio 43215, or proposed rules can be viewed online at www.insurance.ohio.gov.

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