

Exhibit A

50 State Overview: Statutes, Type of Rate Review and Public Participation

State	Rate Statutes	Type of Rate Review ¹	Public Access to Filing Data ²	Public Participation
Alabama	ALA. CODE § 27-2-17; ALA. CODE § 27-14-8; ALA. ADMIN. CODE r. 482 -1024.03(6); (Health Policies); ALA. CODE § 27-21A-7 (HMOs); ALA. CODE § 27-21-3 (Blues).	Prior approval in both Individual and Small Group (HMOs and BCBS only; file and use for commercial carriers). (HMOs—30 day deemer ³).	Filings on informational basis but considered proprietary and trade secret. ALA. ADMIN. CODE r.482-1-024-.04. ACA filings available through Health Filing Access Interface (HFAI) but subject to the public access statute. ⁴ HMO filings are public documents, except for trade secrets or privileged or confidential commercial of financial information. ALA. CODE § 27-21A-24.	Commissioner can hold a hearing for any purpose. ⁵ ALA. CODE § 27-2-28(a). Person aggrieved by act of Commissioner entitled to hearing. ⁶ ALA. CODE § 21-2-28(b).
Alaska	ALASKA STAT. ANN. § 21.51.405 (Health	Prior approval in both Individual	Alaska Division of Insurance says to see https://ratereview.healthcare.gov and www.c	Person aggrieved by the approval/disapproval of HMO

¹ Information obtained from the Kaiser Family Foundation but modifications made for accuracy based on current research. See Kaiser Family Foundation, State Statutory Authority to Review Health Insurance Rates, Individual Plans (2012), <http://kff.org/other/state-indicator/rate-review-individual/>. See also Kaiser Family Foundation, State Statutory Authority to Review Health Insurance Rates, Small Group Plans (2012), <http://kff.org/other/state-indicator/rate-review-small-group/>.

² Several states do not provide any statutory guidelines as to whether filings are treated as public documents or held as confidential, in whole or in part. These states are: Delaware, Georgia, Kansas, Kentucky, Maryland, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, South Carolina, Tennessee, Utah, and West Virginia.

³ A deemer is the prescribed time period that the Commissioner has to approve or disapprove a plan. If the Commissioner does not act within this time period, the rate is approved.

⁴ Information on available rate filings in Alabama obtained through <http://www.aldoi.gov/Consumers/ACARateFilings.aspx>

⁵ The Commissioner can hold a hearing for any purpose within the scope of the Insurance Code. This language is substantially similar in all states where the Commissioner can hold a hearing for any purpose.

⁶ Aggrieved person can seek a hearing for an act, threatened act, or failure of the Commissioner to act. This language is substantially similar in each state where an aggrieved person can seek a hearing.

	Policies); ALASKA STAT. ANN. § 21.86.070 (HMOs); ALASKA STAT. ANN. § 21.87.190 (Blues).	and Small Group (45 day deemer).	ms.gov/CCIIO/Resources/Data-Resources/ratereview.html for filings for proposed increases of 10% or greater. ⁷ HMO filings are considered public documents, except for trade secrets, privileged, confidential commercial or financial information. ALASKA STAT. ANN. § 21.86.270.	rate can seek hearing. ALASKA STAT. ANN. § 21.86.070. Director can also hold a hearing for any purpose. ALASKA STAT. ANN. § 21.06.180(a). Person aggrieved by act of Commissioner entitled to hearing. ALASKA STAT. ANN. § 21.06.180(b).
Arizona	ARIZ. REV. STAT. ANN. § 20-1342.02 (Disability Policies—which include Health Policies ARIZ. REV. STAT. ANN. § 20-253); ARIZ. REV. STAT. ANN. § 20-826 (Blues).	File and use in both Individual and Small Group.	Public can access filings through the Health Filing Access Interface (HFAI), except for information considered a trade secret.	Public can comment on increases > 10%. (Website). Commissioner can hold a hearing for any purpose. ARIZ. REV. STAT. ANN. § 20-161(A). Person affected by hearing can intervene. ARIZ. REV. STAT. ANN. § 20-164(B).
Arkansas	ARK. CODE ANN. § 23-79-109; (Health Policies); ARK. CODE ANN. § 23-76-112 (HMOs); ARK. CODE ANN. § 23-75-111 (Blues).	Prior approval in Individual (30 day deemer); Prior Approval in Small Group (60 day deemer).	Rate filings available through the Health Insurance Premium Rate Review Division website prior to approval. Actuarial justifications are confidential. ARK. CODE ANN. § 23-61-103(d)(4). But the Commissioner has the discretion to disclose to an aggrieved party. ARK. CODE ANN. § 23-61-103(d)(5).	Public can comment on increases of 10% or greater. (Website). Commissioner can hold a hearing for any purpose. ARK. CODE ANN. § 23-61-303(a).

⁷ Information on available rate filings in Alaska obtained through <https://www.commerce.alaska.gov/web/ins/Consumers/Justifications.aspx>.

			HMO filings are considered public documents. ARK. CODE ANN. § 23-76-128.	<p>Person aggrieved by act of Commissioner entitled to hearing. ARK. CODE ANN. § 23-61-303(b).</p> <p>Intervention permitted by a person with pecuniary interest in Commissioner's order. ARK. CODE ANN. § 23-61-305(c).⁸</p>
California	CAL. INS. CODE § 10181.3 (Health Policies); CAL. HEALTH & SAFETY CODE § 1385.03 (HMOs and PPOs).	File and use.	<p>Rate filings and supporting information are public. CAL. INS. CODE § 10181.7; CAL. HEALTH & SAFETY CODE § 1385.07.</p> <p>Rate filings are published through the Department of Insurance (DOI) and the Department of Managed Health Care (DMHC) depending on which has jurisdiction.</p>	<p>Public can comment. CAL. INS. CODE § 10181.7(d); CAL. HEALTH & SAFETY CODE § 1385.11(c). DOI must post comments on its website. CAL. INS. CODE § 10181.11(c); CAL. HEALTH & SAFETY CODE § 1385.11(c).</p> <p>Commissioner can hold a hearing for any purpose. CAL. INS. CODE § 12924(a).</p> <p>Director can hold a hearing for any purpose. CAL. HEALTH & SAFETY CODE § 1346(a)(5).</p>
Colorado	COLO. REV. STAT. § 10-	Prior approval in	Filings are public records. 3 COLO. CODE	Public can comment.

⁸ The Arkansas Insurance Code provides that the insurer can seek a hearing on disapproval. Insurers can seek a hearing on disapproval in the following states: Arkansas, Delaware, D.C., Hawaii, Iowa, Kansas, Kentucky, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia. In most of these states insureds could seek to intervene in such a hearing.

	16-107 (Health Policies).	Individual and Small Group (60 day deemer); file and use if no increase.	<p>REGS. § 702-2-1.</p> <p>Commissioner can refuse access to trade secret data, but the entire filing, including the actuarial memorandum, cannot be held confidential. 3 COLO. CODE REGS. § 702-4:4-2-11 §5 ¶ 11.</p> <p>Commissioner can reject the insurer's request for confidential treatment. <i>Id.</i></p> <p>Filings are available on the Division of Insurance's Online Search Engine of Rate Filings.</p>	<p>(Website).</p> <p>Person aggrieved by rate charged can seek review by insurer. COLO. REV. STAT. § 10-16-216.5(1).</p> <p>Commissioner can hold a public hearing if he believes insurer has not complied. COLO. REV. STAT. § 10-16-216.5(3).</p>
Connecticut	CONN. GEN. STAT. ANN. § 38a-481 (Individual Health Policies); CONN. GEN. STAT. ANN. § 38a-183 (Blues); CONN. GEN. STAT. ANN. § 38a-476c (Variable network and enrollee cost-sharing health policies); CONN. GEN. STAT. ANN. § 38a-528 (Group Health Insurance-Long-term care); CONN. GEN. STAT. ANN. § 38a-565 (Blue Ribbon Health Care).	Prior approval in Individual (30 day deemer); prior approval in Small Group for HMOs only; all others file actuarial certification only.	<p>Rate filings are considered public in their entirety. (Conn Insurance Bulletin HC-81, October 7, 2010).</p> <p>Filings are available on Connecticut Insurance Department's Health Insurance Rating Filing website.</p>	<p>Public can comment; comments become part of final record. (Website).</p> <p>Person aggrieved by an order or decision re: Blues can appeal. CONN. GEN. STAT. ANN. § 38a-185.</p> <p>Commissioner can hold hearing to aid any investigation. CONN. GEN. STAT. ANN. § 38a-16.</p> <p>Commissioner can allow public to present comments at hearing. <i>Id.</i> Affected person has right to intervene. <i>Id.</i></p>

				Person aggrieved by order or decision of Commissioner made without a hearing can seek hearing. CONN. GEN. STAT. ANN. § 38a-19.
Delaware	DEL. CODE ANN. tit. 18, § 2504; DEL. CODE ANN. tit. 18, § 3333 (Individual and Group); 18 DEL. ADMIN. CODE §§ 1300-1305 (Health Insurers, Blues and Managed Care Organizations).	Prior approval in Individual and Small Group (30 day deemer).	Rate filings available on a website operated by the state of Delaware, but actuarial memorandums not available for each filing and some filings are substantially redacted.	Public can comment. DOI does not provide responses. (Website). Person or organization aggrieved by a filing in effect can seek a hearing. DEL. CODE ANN. tit. 18, § 2520(a). Commissioner can hold a hearing for any purpose. DEL. CODE ANN. tit. 18, § 323(a). Person aggrieved by act of Commissioner entitled to hearing. DEL. CODE ANN. tit. 18, § 323(b).
D.C.	D.C. Code Ann. § 31-3311.04 (Health Insurance); D.C. Code Ann. § 31-3415 (HMOs); D.C. Code Ann. § 31-4712; D.C. Code Ann. § 31-3508 (Blues).	Prior approval in Individual and Small Group (30 day deemer).	Health insurance rate filings and all supporting documentation are public. D.C. Code Ann. § 31-3311.07. HMO filings are public documents, except for trade secrets or privileged or confidential commercial or financial information. D.C. Code Ann. § 31-3425.	Public can comment. Comments posted to the website. (Website). Mayor can hold a hearing if he finds that Blues filings do not meet the requirements of the statute. D.C. Code Ann. § 31-3508.

			Health insurance rate filings are available on the Department of Insurance's website .	
Florida	FLA. STAT. ANN. § 627.410; FLA. STAT. ANN. § 627.640 (Health Policies); FLA. STAT. ANN. § 641.31 (HMOs).	Prior approval in Individual and Group (30 day deemer). But for 2014 and 2015, non-grandfathered plans are exempt. S.B. 1842, in FLA. STAT. ANN. § 627.410(9).	Public can access rate filings online . Insurers label information as trade secret on submission. FLA. STAT. ANN. § 624.4213(1). If public records request made, insurer must notify DOI to prevent release. FLA. STAT. ANN. § 624.4213(2). Failure to notify constitutes waiver and records are released. <i>Id.</i> Actuarial memorandum must be included in filing. Florida filing system does not redact trade secrets, thus insurer should submit a workbook of information without trade secrets for the public domain. FLA. ADMIN. CODE ANN. r. 69O-149.006.	Public can comment. (Website). Commissioner can hold a hearing for any purpose. FLA. STAT. ANN. § 624.324.
Georgia	GA. CODE. ANN. § 33-21-13 (HMOs); GA. CODE. ANN. § 33-19-14; GA. CODE. ANN. § 33-18-20 (Blues); GA. COMP. R. & REGS. 120-2-98.03 (Commercial increases over 10%).	Prior approval in Individual and Small Group for HMOs; file and use for PPOs and all commercial increases above 10%.	Preliminary justifications of proposed rate increases are published within 5 days of receipt by DOI. GA. COMP. R. & REGS. 120-2-98.06. HMO filings are treated as public documents. GA. CODE. ANN. § 33-21-22. According to the Department of Insurance, rate filings are not public. ⁹	Public can comment. GA. COMP. R. & REGS. 120-2-98.06. Commissioner can hold a hearing based on any dispute re Blues. GA. CODE. ANN. § 33-18-31. Commissioner can hold hearing for any purpose. GA.

⁹ Based on a telephone conversation with the Department of Insurance.

				<p>CODE. ANN. § 33-2-17.</p> <p>Person aggrieved by an act of the Commissioner entitled to hearing. <i>Id.</i></p>
Hawaii	HAW. REV. STAT. ANN. § 431:14G-105 (Health Insurance Managed Care Plans).	Prior approval in Individual and Small Group (60 day deemer).	<p>Filings are open to the public on filing, but confidential and proprietary information is not available. HAW. REV. STAT. ANN. § 431:14G-105(d).</p> <p>Persons wanting to review rate filings are directed to the website maintained by the federal Department of Health and Human Services at HealthCare.gov.¹⁰ Comments may be submitted via email to the Hawaii Insurance Commissioner.</p> <p>Hawaii Department of Commerce and Consumer Affairs directs consumers to use the federal rate review website to access filings.</p>	<p>Public can comment on increases > 10%.</p> <p>Aggrieved enrollee of a managed care plan or organization that purchases health insurance from a managed care plan can seek hearing based on filing. HAW. REV. STAT. ANN. § 431:14G-107(d).</p> <p>Commissioner can hold a hearing for any purpose. HAW. REV. STAT. ANN. § 431:2-204(a).</p>
Idaho	IDAHO CODE ANN. § 41-5206 (Individual Health Insurance); IDAHO CODE ANN. § 41-3420 (Blues); IDAHO CODE ANN. § 41-3915 (Managed Care).	File and use in Individual and Small Group, but Prior Approval for increases above 10%.	<p>Filings subject to the Idaho Public Records Act. IDAPA 18.01.73.006. Trade secrets exempt from disclosure. IDAHO CODE ANN. § 74-107.</p> <p>ACA filings are available online but the state has marked some information ineligible for viewing based on exemptions in the public</p>	<p>Director can hold hearing for any purpose. IDAHO CODE ANN. § 41-232(1).</p> <p>Person aggrieved by act of Director entitled to hearing. IDAHO CODE ANN. § 41-232(2)(b).</p>

¹⁰ Regulation of Health Insurance Rates fact sheet, http://files.hawaii.gov/dcca/ins/consumer/Public_Health_Insurance_Rates.pdf.

			access statute.	
Illinois	215 ILL. COMP. STAT. 93/25 (Small Employer); ILL. ADMIN. CODE tit. 50, § 5421.60 (HMOs).	File and Use for Individual and Small Group.	<p>A summary of information for rate increases 10% or greater is available online after DOI conducts its review. (Website).</p> <p>Director can request actuarial documentation from HMOs but deemed confidential “unless specific authorization is given by the HMO.” ILL. ADMIN. CODE tit. 50, § 5421.60(c).</p> <p>Small employer rating information considered proprietary and trade secret and cannot be released by the Director. 215 ILL. COMP. STAT. 93/30.</p> <p>Illinois Department of Insurance directs consumers to https://ratereview.healthcare.gov to access filings.</p>	Public can comment but DOI does not promise to respond or publish comments. (Website).
Indiana	IND. CODE ANN. § 27-8-4-7 (Health Policies); IND. CODE ANN. § 27-13-20-1 (HMOs).	Prior approval in Individual and Small Group (30 day deemer).	<p>Rate filings are available on the Indiana Rate Watch website.</p> <p>Rates are available when filed and are public records, except for trade secrets, privileged and confidential information. IND. CODE ANN. § 27-13-30-1.</p>	Public can comment. (Website).
Iowa	IOWA CODE ANN. § 514A.13 (Health	Prior approval in Individual and	Iowa Insurance Division directs consumers to https://ratereview.healthcare.gov to access	Public can comment. ¹¹

¹¹ See <http://www.iid.state.ia.us/ratereviewcomment>.

	Policies); IOWA CODE ANN. § 513B.4 (Small Group Employee).	Small Group (30 day deemer).	<p>filings.</p> <p>Rate filings and supporting information are public records. IOWA CODE ANN. § 505.17(2). But Commissioner must consider request by insurer to keep certain documents confidential. IOWA CODE ANN. §505.17(2)(a).</p> <p>Rate filings and information submitted at hearings considered public records, unless already treated as confidential by a government entity. IOWA ADMIN. CODE r. 191-36.20(7).</p> <p>Small group rating and renewal underwriting practices are considered proprietary and trade secret. IOWA CODE ANN. § 513B.7(3).</p>	<p>Consumer Advocate can ask Commissioner to hold a rate hearing. IOWA CODE ANN. § 505.8(6)(b)(5).</p> <p>When an insurer requests a rate exceeding national health expenditure growth, Commissioner must hold hearing. IOWA CODE ANN. § 505.19 (2). Consumer Advocate must solicit public comments on the proposed increase and post all comments on the DOI's website and present them at hearing. IOWA CODE ANN. § 505.19 (3).</p> <p>Commissioner can hold a hearing for any purpose. IOWA CODE ANN. § 505.8(11).</p>
Kansas	KAN. STAT. ANN. § 40-2215 (Health Policies); KAN. STAT. ANN. § 40-3203 (HMOs).	Prior approval in Individual and Small Group (30 day deemer).	<p>Kansas operates a website ostensibly to display health insurance rate increase requests that are in excess of 10%. However, no listings are available and the website includes links to the healthcare.gov site.</p> <p>Filings available when requested but insurer can redact proprietary information. (Call with DOI).</p>	<p>Public can comment on increases > 10%. (Website).</p> <p>Commissioner can hold a hearing for any purpose. KAN. STAT. ANN. § 40-281(a).</p> <p>Person whose rights are substantially affected can intervene in hearings. KAN. STAT. ANN. §77-521.</p>

Kentucky	KY. REV. STAT. ANN. § 304.17-380; 806 KY. ADMIN. REGS. 14:007, 806 KY. ADMIN. REGS. 17:150 (Health Insurance Contracts); KY. REV. STAT. ANN. § 304.17A-095 (Health Benefit Plans).	Prior approval in Individual and Small Group for rate increases.	Kentucky Department of Insurance hosts a website that includes rate filing summaries, Part I and III, and Part II (for requested increases of 10% or greater).	<p>Public can comment via a web form.</p> <p>Commissioner can hold a hearing within 30 days after receiving a proposed rate increase. KY. REV. STAT. ANN. § 304.17-383(1).</p> <p>AG can request hearing re a health plan's approval/disapproval. KY. REV. STAT. ANN. § 304.17A-095(8)(a).</p> <p>Commissioner can hold a hearing for any purpose. KY. REV. STAT. ANN. § 304.2-310(1).</p> <p>Person aggrieved by act of Commissioner entitled to hearing. KY. REV. STAT. ANN. § 304.2-310(2)(b).</p> <p>Person whose rights may be adversely affected can intervene in hearing. KY. REV. STAT. ANN. § 13B.060(1)(b).</p>
Louisiana	LA. STAT. ANN. § 22:972 (Health Insurance Plans –File and Use); LA.	File and use in Individual and Small Group.	Filings subject to Louisiana Public Records Act, which exempts proprietary and trade secret information. LA. STAT. ANN. §	Person aggrieved by Commissioner's approval or disapproval of rate can seek

	ADMIN. CODE tit. 37, §§ 2701-2709 (Individual Health Insurance); LA. ADMIN. CODE tit. 37, §§ 2901-2909 (Small Group); LA. ADMIN. CODE tit. 37, §§ 3101-3147 (LA Health); LA. STAT. ANN. § 22:1092, LA. STAT. ANN. § 22:1096 (Small Employer Health Benefit Plans).		22:42(J).	hearing. LA. STAT. ANN. § 22:972(A). Person aggrieved by act of Commissioner entitled to hearing. LA. STAT. ANN. § 22:2191(A)(2).
Maine	ME. REV. STAT. ANN. tit. 24-A., § 2736 (Individual Health Policies); ME. REV. STAT. ANN. tit. 24-A., § 4207 (HMOs); ME. REV. STAT. ANN. tit. 24-A., § 2839 (Group or Blanket Health Insurance); ME. REV. STAT. ANN. tit. 24-A., § 2808-B (Small Group Filings); ME. REV. STAT. ANN. tit. 24, § 2321 (Blues).	Prior approval in Individual unless increase <10% and insurer guarantees 80% MLR and has a credible volume of business. Prior Approval in Small Group unless insurer guarantees an MLR and has a credible block of business.	Individual filings and all supporting information are public records, except protected health information, which is required to be kept confidential and provider contract terms. ME. REV. STAT. ANN. tit. 24-A., § 2736(2). Filings become part of the official record of any hearing held pursuant to ME. REV. STAT. ANN. tit. 24-A., § 2736-A. Blues and HMO filings and supporting information are public records in accordance with the Maine Public Records statute, which permits some exemptions. ME. REV. STAT. ANN. tit. 24, § 2321(2); ME. REV. STAT. ANN. tit. 24-A., § 4223.	Both Superintendent and AG can call hearings on rate filings. ME. REV. STAT. ANN. tit. 24-A., § 2736-A. Notice about opportunity to comment and intervene must be given to public. ME. REV. STAT. ANN. tit. 5, § 9052(2)(B). Person whose rights are substantially and directly affected can intervene. ME. REV. STAT. ANN. tit. 5, § 9054(1).

			<p>Small group filings are public records unless information is required to be kept confidential. ME. REV. STAT. ANN. tit. 24-A., § 2808-B(2-A)(B).</p> <p>Rate filings are available on Maine’s Health Filing Access Interface (HFAI).</p>	
Maryland	<p>MD. CODE REGS. 31.10.32.03 (Blues); MD. CODE REGS. 31.12.02.08 (HMOs); MD. CODE REGS. 31.10.01.03 (Health Policies).</p>	<p>Prior approval in Individual and Small Group (60 day deemer).</p>	<p>Summaries and rate tables are available online for filings.</p> <p>Entire filings, including the actuarial memoranda, can be obtained through FOIA request.¹² (Call with DOI).</p>	<p>Public can comment. (Website).</p> <p>Commissioner can hold a hearing for any purpose. MD. CODE ANN., INS. § 2-210(a)(1).</p> <p>Person aggrieved by act of Commissioner entitled to hearing. MD. CODE ANN., INS. § 2-210(a)(2)(ii).</p>
Massachusetts	<p>MASS. GEN. LAWS ANN. ch. 175, § 108(8)(A) (Health Policies); MASS. GEN. LAWS ANN. ch. 176A, § 6 (Blues); MASS. GEN. LAWS ANN. ch. 176M, § 5, 211 MASS. CODE REGS. 41.01-41.24 (Nongroup Health Insurance);</p>	<p>Prior approval in Individual and Small Group (60 day deemer).</p>	<p>The Office of Consumer Affairs & Business Regulation (OCABR) says to see https://ratereview.healthcare.gov for increases equal to or in excess of 10%.¹³</p> <p>Insurers can redact proprietary information from filings.¹⁴</p> <p>Small Group rate filings are confidential. 211 MASS. CODE REGS. 66.09(2)(b).</p>	<p>Public can comment on proposed rate increases by emailing HCAB.mailbox@state.ma.us.</p> <p>Commissioner can hold hearing “when an initial guaranteed issue plan exceeds the avg. composite rate by more than two standard</p>

¹² This information was received via telephone conversation with the Department of Insurance.

¹³ See Office of Consumer Affairs & Business Regulation (OCABR) website, <http://www.mass.gov/ocabr/insurance/health-insurance/>.

¹⁴ Relayed via telephone conversation with the Department of Insurance.

	MASS. GEN. LAWS ANN. ch. 176J, § 6, 211 MASS. CODE REGS. 66.01-66.14 (Small Group Insurance); MASS. GEN. LAWS ANN. ch. 176G, § 16 (HMOs).			<p>deviations or when an existing guaranteed issue plan exceeds the composite rate by two standard deviations and the proposed composite rate also exceeds 110% of the carrier's current composite rate.” MASS. GEN. LAWS ANN. ch. 176M, § 5(e).</p> <p>Person affected by a proposed increase can seek to intervene in the hearing. 211 MASS. CODE REGS. 41.14(2).</p>
Michigan	MICH. COMP. LAWS ANN. § 550.1607 (Blues); MICH. COMP. LAWS ANN. § 500.3519 (HMOs).	Prior approval in Individual and Small Group (30 day deemer).	<p>Filings and all supporting information are available through a SERFF filing search portal when filed, except confidential information exempted from Public Records Act. MICH. COMP. LAWS ANN. § 550.1610(7).</p> <p>But the Director of the Department of Insurance and Financial Services has discretion to make records nonpublic, and he did so for all products filed between March 2013 and September 2013.¹⁵</p> <p>Entire filings, including actuarial memoranda can be obtained through FOIA request. (Call with DOI).</p>	<p>Public can comment on Blues filings. (Website).</p> <p>Public can request hearing on HMO filings but must show rates violate law. (Website).</p> <p>Person aggrieved by a Blues proposed rate increase can seek a hearing. MICH. COMP. LAWS ANN. § 550.1613(1). Persons with standing can obtain filings to same extent as Commissioner. <i>Id.</i></p>

¹⁵ See Department of Insurance and Financial Services website, http://www.michigan.gov/difs/0,5269,7-303-13047_34537-265512--,00.html.

Minnesota	MINN. STAT. ANN. § 62A.02 (Health Plans except for Individual); MINN. STAT. ANN. § 62A.65 (Individual); § MINN. STAT. ANN. § 62C.15 (Blues); MINN. STAT. ANN. § 62D.12 (HMOs).	Prior approval in Individual and Small Group (60 day deemer).	Proposed rates nonpublic until effective. MINN. STAT. ANN. § 60A.08(15). The Minnesota Department of Commerce directs consumers to https://ratereview.healthcare.gov/ to view rate proposals.	Public can comment. (Website).
Mississippi	MISS. CODE ANN. § 83-9-3 (Health Insurance Policies); MISS. CODE ANN. § 83-41-331 (HMOs, PPOs and Prepaid Health Benefit Plans).	Prior approval for Individual and Small Group.	Rate change summaries are available to public online after they go into effect. ¹⁶ The Mississippi Insurance Department directs consumers to https://ratereview.healthcare.gov/ to view rate proposals. Reports, records, and other information in the possession of the DOI re: supervision of insurers are confidential. MISS. CODE ANN. § 83-1-157(1). But Commissioner has discretion to make records public. MISS. CODE ANN. § 83-1-157(4).	Public can comment. (Website).
Missouri	MO. ANN. STAT. § 354.152 (Blues). <i>Does not have an</i>	File and Use for Individual and Small Group. Actuarial	The Missouri DOI does not post filing materials. Rate review for the state is conducted by HHS and consumers have to use https://ratereview.healthcare.gov/ to view	Person aggrieved by an order of the Director entitled to a hearing. MO. ANN. STAT. § 374.055(1).

¹⁶ See Mississippi Health Insurance Rate Review website, <http://www.healthrates.mid.ms.gov/>.

	<i>effective rate review program.</i> ¹⁷	Certificate only.	rate proposals. NOTE: SB 865, the <i>Health Insurance Rate Review</i> bill was passed by the legislature in 2016 and sent to the Governor’s desk on May 11 th . If passed, Missouri’s insurance regulator will have the authority to review health plan filings in the state. Under this bill, rate review will be conducted as <i>file and use</i> . This is likely to lead to certification of Missouri as an <i>Effective Rate Review</i> state.	
Montana	MONT. CODE ANN. § 33-22-156; MONT. CODE ANN. § 33-22-157 (Individual and Small Group).	File and use for Individual and Group (but rate cannot be implemented if found unfairly discriminatory).	Visitors to Montana’s rate review website are redirected to https://ratereview.healthcare.gov/ to view rate proposals. On request of the Insurer, Commissioner can exempt trade secret information in the rate filing from public disclosure. MONT. CODE ANN. § 33-22-158. Rate Filings treated as confidential until reviewed. (Lindeen Memo, pg. 2). ¹⁸ Memo from Commissioner states that "blanket assertions of confidentiality are not effective." <i>Id.</i>	Commissioner can hold hearings for any purpose. MONT. CODE ANN. § 33-1-701(1). Aggrieved person can seek hearing. MONT. CODE ANN. § 33-1-701(2).
Nebraska	NEB. REV. STAT. ANN. §	Prior approval in	Nebraska Department of Insurance website	Public can comment. DOI

¹⁷ According to HHS designation, see https://www.cms.gov/CCIIO/Resources/Fact-Sheets-and-FAQs/rate_review_fact_sheet.html (updated: May 13, 2016).

¹⁸ Memorandum from Monica Lindeen on Rate and Provider Network Data Required for 2014 Health Insurance Rates and Form Filings for the Individual and Small Employer Group Market to Health Insurers (June 12, 2013).

	44-710 (Health Policies); NEB. REV. STAT. ANN. § 44-32,149 (HMOs).	Individual and Small Group (30 day deemer for HMOs only).	provides search feature to search for individual plan information. The site also redirects consumers to healthcare.gov (not ratereview.healthcare.gov) to get more information on the ACA but not the actual rate filings.	<p>compiles comments and sends them to the insurer. (Website).</p> <p>Director can hold hearings “to procure information helpful in the lawful administration” of the insurance laws. NEB. REV. STAT. ANN. §44-2301.</p> <p>Person whose rights substantially affected can intervene. NEB. REV. STAT. ANN. § 84-912.02(1)(b).</p>
Nevada	NEV. REV. STAT. ANN. § 686B.070 (Health Policies except for large employer group plans); NEV. REV. STAT. ANN. § 695B.230 (Blues).	Prior approval for Individual and Small Group (60 day deemer for commercial insurers; 30 days for nonprofit BCBS plans).	S.B. 67 (passed June 10, 2015) amends NEV. REV. STAT. ANN. § 686B.080. Individual and Small Group rate filings and supporting information are considered proprietary and constitute trade secrets. NEV. REV. STAT. ANN. § 686B.080(4).	<p>Public can comment and DOI considers comments. (Website). Public can choose to have comments published. (Website).</p> <p>Commissioner can hold a hearing to determine if insurer “has engaged in unsuitable conduct.” NEV. REV. STAT. ANN. § 679B.310(1).</p> <p>Person aggrieved by an act of Commissioner entitled to hearing. NEV. REV. STAT. ANN. § 679B.310(2)(b).</p> <p>Person whose pecuniary interests are directly and</p>

				immediately affected by Commissioner's order entitled to intervene. NEV. REV. STAT. ANN. § 679B.330(4).
New Hampshire	N.H. REV. STAT. ANN. § 415:1 (Health Policies); N.H. REV. STAT. ANN. § 420-A:8 (Blues).	Prior approval for Individual and Small Group.	The New Hampshire Insurance Department's website redirects visitors to https://ratereview.healthcare.gov/ for rate filings.	Commissioner can hold a hearing for any purpose. N.H. REV. STAT. ANN. § 400-A:17(I). Person aggrieved by act of Commissioner entitled to hearing. N.H. REV. STAT. ANN. § 400-A:17(II)(b). Commissioner must permit a party whose interests are affected by a hearing to intervene. N.H. REV. STAT. ANN. § 400-A:19 (III).
New Jersey	N.J. STAT. ANN. § 17B:26-1; N.J. STAT. ANN. § 17B:27A-9; N.J. ADMIN. CODE § 11:4-18.4 (Individual Plans); N.J. STAT. ANN. § 17:48E-27 (Blues); N.J. STAT. ANN. § 17B:27A-25 (Small employer).	File and Use HMO rates not required to be filed. N.J. STAT. ANN. § 17B:27A-16.	The New Jersey Department of Banking & Insurance redirects visitors to https://ratereview.healthcare.gov/ for rate filings. Small employer rate filings are public records, except for the actuarial memorandum. N.J. ADMIN. CODE § 11:21-9.7 (a). Insurer must identify information the confidential actuarial information, if not	Public can comment. (Website). Board must hold hearings when establishing health benefit plans and can hold hearings on making of rate filings. N.J. STAT. ANN. §17B:27A-51(c).

			identified, it can be disclosed. N.J. ADMIN. CODE § 11:21-9.7 (b).	
New Mexico	N.M. STAT. ANN. § 59A-18-13.2 (Health Policies); N.M. STAT. ANN. § 59A-46-16 (HMOs); N.M. STAT. ANN. § 59A-47-26 (Blues); N.M. STAT. ANN. § 59A-23C-5 (Small Group Plans).	Prior approval in Individual and Small Group.	<p>Superintendent must make filings available on DOI website within 12 days of receipt. N.M. STAT. ANN. § 59A-18-13.2(D). Under the statute, Insurer's most recent financial statement and actuarial memo must be available to the public on the insurer's website. N.M. STAT. ANN. § 59A-18-13.2(F).</p> <p>In fact, however, only rate filing summaries and annual statements are displayed on the site.</p> <p>On request of the insurer, Superintendent can exempt proprietary information from disclosure. N.M. STAT. ANN. § 59A-18-13.2(G).</p> <p>HMO filings are public documents, except trade secrets or confidential information. N.M. STAT. ANN. § 59A-46-26.</p>	<p>Public can comment. N.M. STAT. ANN. § 59A-18-13.2(H). Superintendent must consider and post all comments. N.M. STAT. ANN. § 59A-18-13.3(A).</p> <p>After the comment period, Superintendent can approve. But public can seek a rate hearing after decision, and can present data at hearing. (Website).</p> <p>Person aggrieved by the rate filing decision can appeal the decision. N.M. STAT. ANN. § 59A-18-13.5(A).</p> <p>Superintendent can hold a hearing for any purpose. N.M. STAT. ANN. § 59A-4-15(A).</p> <p>Person aggrieved by act of Superintendent entitled to hearing. N.M. STAT. ANN. § 59A-4-15(B)(2).</p>
New York	N.Y. INS. LAW §	Prior approval in	Public can review entire filing on the	Public can comment. N.Y.

	3231(Health Policies); N.Y. INS. LAW § 4308 (Blues and HMOs).	Individual and Small Group (60 day deemer).	website . No confidential/trade secret information redacted. ¹⁹	INS. LAW § 3231(e)(1)(A); N.Y. INS. LAW § 4308(c)(2). Person who has a direct and substantial interest in a proceeding can seek to intervene. §301, Form 11.
North Carolina	N.C. GEN. STAT. ANN. § 58-51-95 (Health Policies); N.C. GEN. STAT. ANN. § 58-65-40 (Blues); N.C. GEN. STAT. ANN. §58-67-50 (HMOs).	Prior approval in Individual and Small Group.	ACA related filings are accessible through SERFF .	A person can file a motion to intervene in admin proceedings. N.C. GEN. STAT. ANN. §150B-23(d).
North Dakota	N.D. CENT. CODE § 26.1-17-26 (Blues); N.D. CENT. CODE § 26.1-18.1-15 (HMOs); N.D. CENT. CODE § 26.1-36.3-04 (Small Employer); N.D. CENT. CODE § 26.1-36-37.2 (Health Policies—loss ratios).	Prior approval in Individual and Small Group (60 day deemer).	The Insurance Department’s redirects visitors to https://ratereview.healthcare.gov/ for rate filings. Filings are public after approval and typically redacted for proprietary information. ²⁰	Public can comment on proposed rate increases by completing an online form or emailing insurance@nd.gov. Person aggrieved by a filing in effect can seek a hearing. N.D. CENT. CODE § 26.1-17-27(3). Person can seek to intervene in admin proceeding. N.D. CENT. CODE § 28-32-28.
Ohio	OHIO REV. CODE ANN. § 3923.021 (Health	Prior approval in Individual and	Public can search filings through a Health Filing Access Interface (HFAI) to the SERFF	Public can comment. (Website).

¹⁹ New York Department of Financial Services website, <https://myportal.dfs.ny.gov/web/prior-approval/welcome>.

²⁰ Information based on a call with the Department of Insurance.

	Policies).	Small Group (30 day deemer).	site. Filings are subject to the public records statute. ²¹	
Oklahoma	OKLA. STAT. ANN. tit. 36, § 2606 (Blues); OKLA. STAT. ANN. tit. 36, § 4402 (Individual Health Policies); OKLA. STAT. ANN. tit. 36, § 6916 (HMOs). <i>Does not have an effective rate review program.</i>	Prior approval in Individual and Small Group.	Filings can be viewed by walk-in or through appointment using a public computer terminal to access data on SERFF. The Oklahoma Open Records Act, which exempts proprietary information. OKLA. STAT. ANN. tit. 51, § 24A.19. HMO premium rates are confidential and “not subject to public disclosure.” OKLA. STAT. ANN. tit. 36, § 6916(A).	Public can comment on increases > 10%. (Website). Commissioner has jurisdiction over complaints against insurers and must hear all matters. OKLA. STAT. ANN. tit. 36, § 307.
Oregon	OR. REV. STAT. ANN. § 743.018 <i>amended by</i> H.B. 2605, 78th Legis. Assemb. (Or. 2015) (Health Insurance Policies, except Group Life and Health Insurance).	Prior approval in Individual and Small Group.	Filings and rate requests are available online for small employer plans, portability plans, and individual health plans. Director can identify information exempt from disclosure because it constitutes a trade secret. OR. REV. STAT. ANN. § 743.018 <i>amended by</i> H.B. 2605, 78th Legis. Assemb. (Or. 2015). But rate filings appear to be available in their entirety.	Public can comment. OR. REV. STAT. ANN. §743.019(1) <i>amended by</i> H.B. 2605, 78th Legis. Assemb. (Or. 2015). DOI holds hearings for rate requests of individual and small employer plans. Public can testify. (Website). Director can hold a hearing for any purpose. OR. REV. STAT. ANN. § 731.232(1).

²¹ See <http://www.insurance.ohio.gov/Company/Pages/RecordsRequest.aspx>.

				Person aggrieved by any act of Director is entitled to a hearing. OR. REV. STAT. ANN. § 731.240(1).
Pennsylvania	40 PA. STAT. AND CONS. STAT. ANN. § 3801.303; (Individual, Small Group); 40 PA. STAT. AND CONS. STAT. ANN. § 3801.503 (Insurers and HMOs).	Prior approval in Individual and Small Group (45 day deemer); file and use if rate increase below 10%.	The Pennsylvania Insurance Department website includes a link to search for filings on SERFF. Consumers can also use a request form or submit a written request via email. 40 PA. STAT. AND CONS. STAT. ANN. § 3801.311(a). DOI has discretion to publish a notice for all other filings on the website. 40 PA. STAT. AND CONS. STAT. ANN. § 3801.311(b). All approved filings are available online and in the Pennsylvania Bulletin, except that privileged or confidential information is redacted. Filings also posted on the Pennsylvania Bulletin website; review of filing showed actuarial memo in entirety.	Public can comment on increases > 10%. (Website). DOI has discretion to establish a public comment period for filings. 40 PA. STAT. AND CONS. STAT. ANN. § 3801.311(c); 40 PA. STAT. AND CONS. STAT. ANN. § 3801.511.
Rhode Island	27 R.I. GEN. LAWS ANN. § 27-18-8; 27 R.I. GEN. LAWS ANN. § 27-18-54 (Health Policies); 27 R.I. GEN. LAWS ANN. § 27-20-6.2 (Blues); 27 R.I. GEN. LAWS ANN. § 27-19-5 (Blues—stop loss or catastrophe); 27 R.I. GEN. LAWS ANN. § 27-	Prior approval in Individual and Small Group (60 day deemer).	Public can access filings via a SERFF link on the Rhode Island Office of the Health Insurance Commissioner website or via http://ratereview.healthcare.gov . HMO filings are public documents, but public records act applies. 27 R.I. GEN. LAWS ANN. § 27-41-23. Trade secrets and commercial or financial information can be exempted. 38 R.I. GEN. LAWS ANN. §38-2-	Public can comment. (Website). Commissioner must hold hearing on Blues' proposed rates in the individual market. 27 R.I. GEN. LAWS ANN. § 27-20-6(a). Commissioner can hold a

	41-29.2 (HMOs); 42 R.I. GEN. LAWS ANN. § 42-62-13 (Catastrophic Health Insurance Act--for Insurers or HMOs to employers, state or political subdivision).		2(4)(B). Catastrophic filings are public. 42 R.I. GEN. LAWS ANN. § 42-62-13(a).	public hearing on Blues and Catastrophic rates. 27 R.I. GEN. LAWS ANN. § 27-19-5(d); 42 R.I. GEN. LAWS ANN. § 42-62-13(a).
South Carolina	S.C. CODE ANN. § 38-71-310 (Health Policies); S.C. CODE ANN. § 38-33-80 (HMOs).	File and use in Individual and Small Group.	DOI website says see https://ratereview.healthcare.gov/ for rate filings. Public can retrieve filings that have been approved.	October 2011 DOI Memo states that the DOI will create a means for public to comment. ²² In fact, however, the state has provided no such means.
South Dakota	S.D. CODIFIED LAWS § 58-17-4.1 (Individual Health Insurance Policies); S.D. CODIFIED LAWS § 58-18B-3.1 (Small Employer); S.D. CODIFIED LAWS § 58-38-10 (Blues); S.D. CODIFIED LAWS § 58-41-44 (HMOs).	Prior approval in Individual and Small Group (30 day deemer). 2013 S.D. ALS 256 repealed Commissioner prior approval authority for HMOs.	Approved plans are available online in their entirety. ²³	Public can comment. (Website). Director can hold a hearing for any purpose. S.D. CODIFIED LAWS § 58-4-9.
Tennessee	TENN. CODE ANN. § 56-26-102 (Individual and Small Employer); TENN.	Prior approval in Individual and Small Group.	Tennessee Department of Commerce & Insurance website provides links to SERFF and https://ratereview.healthcare.gov/ to	Public can comment via email, fax, or US mail, according to the state's health insurance

²² Memorandum from David Black on New Rate Filing Procedures to Comply with 45 C.F.R. Part 154 as amended by CMS on September 6, 2011 (October 18, 2011).

²³ According to a telephone conversation with the Office of the Health Insurance Commissioner.

	CODE ANN. §56-1-212 (Blues—Ch. 26 applicable); TENN. CODE ANN. § 56-32-107 (HMOs).		access filings. All filings are available in their entirety and prior to approval. ²⁴	information website . Person can intervene in hearing when his rights are affected. TENN. CODE ANN. § 4-5-310.
Texas	TEX. Ins. CODE ANN. § 1507.008 (Health Insurance); TEX. Ins. CODE ANN. § 1508.203 (Healthy Texas Program Health Benefit Plans—Small Employer Plans); TEX. Ins. CODE ANN. § 1506.105 (Texas Health Insurance Pool). <i>Does not have an effective rate review program.</i>	File and use. Actuarial certificate only.	One page summaries of proposed rate increases of 10% or more available online but limited to 2013 and prior. Texas Department of Insurance website says their link to HealthCare.gov is no longer operable “due to technical issues at the federal level. They expect the links to be fixed in the near future.” ²⁵ Consumers can make an open records request for the actual filing; there is a trade secret exception to the open records act.	Person aggrieved by act of Commissioner or DOI entitled to a review of the action. TEX. Ins. CODE ANN. § 36.103(a).
Utah	UTAH CODE ANN. § 31A-22-602 (Health Policies—Individual); UTAH CODE ANN. § 31A-7-103 (Blues—applicability of chapter); UTAH CODE ANN. § 31A-8-103 (HMOs—	File and use in Individual and Small Group.	Rate requests are posted on Utah’s website upon submission to the DOI. Some filings have rate summaries, tracking numbers are provided.	Person aggrieved by order of Commissioner entitled to judicial review. UTAH CODE ANN. § 31A-2-306(1).

²⁴ According to a telephone call with the Department of Commerce and Insurance.

²⁵ <https://wwwapps.tdi.state.tx.us/inter/asproot/life/aca/results.asp>. Last accessed July 31, 2015.

	applicability of chapter).			
Vermont	VT. STAT. ANN. tit. 8, § 4062; GMC Board Rule 2.00 (Health Policies); VT. STAT. ANN. tit. 8, § 4515a; VT. STAT. ANN. tit. 8, §4587 (Blues).	Prior approval in Individual and Small Group (30 day deemer + 30 day deemer for Green Mountain Care Board).	Rate requests are posted on their website within 5 days of receipt by the Board. VT. STAT. ANN. tit. 8, §4062(c)(2)(A). After 60 days, DOI’s analysis and opinion and the entire rate filing is posted, after redacting confidential and proprietary information. VT. STAT. ANN. tit. 8, § 4062(d). Insurer must explain why information is confidential; it cannot claim a blanket explanation. GMC Board 2.305. An “amicus curiae” reviewing the rate can request access to confidential information. <i>Id.</i>	Public can comment. VT. STAT. ANN. tit. 8, § 4062(B); VT. STAT. ANN. tit. 8, § 4515a; VT. STAT. ANN. tit. 8, § 4587. Comments can be submitted via a web form . Office of the Healthcare Advocate can submit questions for use by the DOI’s actuary and can submit comments on behalf of consumers. VT. STAT. ANN. ch.107 tit. 8, § 4062(c)(3). Board holds a rate hearing after conducting its analysis. VT. STAT. ANN. tit. 8, § 4062(e)(1). Public can testify. VT. STAT. ANN. tit. 8, § 4062(e)(1)(B). Person substantially affected by rate request can intervene. GMC Board 2.105. Public can appeal Board’s decision to the Vermont Supreme Court. VT. STAT. ANN. tit. 8, § 4062(g).
Virginia	VA. CODE ANN. § 38.2-316.1 (Individual, Small	File and Use in Individual and	ACA filings available via SERFF .	The public can comment on increases > 10%. (Website).

	Group and Blues); VA. CODE ANN. § 38.2-4306 (HMOs).	Small Group. But Commissioner can disapprove a form if he finds benefits unreasonable in relation to premium charged. VA. CODE ANN. § 38.2-316.1.	All filings are subject to VA's public access statute. ²⁶ Confidential and proprietary information may be excluded from public. VA. CODE ANN. § 2.2-3705.6. Insurer can request actuarial memorandum held non-public during review, but available after review. (Call with DOI). Filings available prior to approval. (Call with DOI).	Admin. Code requires agencies to provide a method for participation in proceedings. VA. CODE ANN. § 2.2-4007.02(a).
Washington	WASH. REV. CODE ANN. § 48.44.020 (Health Policies); WASH. REV. CODE ANN. § 48.44.023 (Small Group); WASH. REV. CODE ANN. § 48.46.060 (HMOs).	Prior approval in Individual and Small Group for rate changes >4%, file and use for others.	The initial request as well as the summary of rate requests are available online . Filings are open to public inspection but "actuarial formulas, statistics, and assumptions submitted in support of a rate or form filing...are withheld from public inspection in order to preserve trade secrets." WASH. REV. CODE ANN. § 48.02.120(3).	Public can comment. (Website). Commissioner can hold a hearing for any purpose. WASH. REV. CODE ANN. § 48.04.010(1). Person aggrieved by act of Commissioner entitled to hearing. WASH. REV. CODE ANN. § 48.04.010(1)(b).
West Virginia	W.VA. CODE ANN. § 33-16B-1 (Health Policies); W.VA. CODE ANN. § 33-25A-8 (HMOs); W.VA.	Prior approval in Individual and Small Group (60 day deemer).	Public can access filings at DOI kiosk or through the Health Filing Access Interface (HFAI). Filings, including the actuarial memo, available after approval. (Call with	Public can comment. (Website). Commissioner can hold

²⁶ See <http://scc.virginia.gov/boi/SERFFInquiry/default.aspx>.

	CODE ANN. § 33-24-6 (Blues); W.VA. CODE ANN. § 33-25-8 (Health Care Corporations).		DOI).	hearing for any purpose. W.VA. CODE ANN. § 33-2-13. Person aggrieved by act of Commissioner entitled to hearing. <i>Id.</i>
Wisconsin	WIS. STAT. ANN. § 625.11; WIS. STAT. ANN. § 625.22 (Health Policies—except for Group Policies); WIS. STAT. ANN. § 635.05; WIS. STAT. ANN. § 635.12 (Small Employer).	File and use in Individual and Small Group for increases > 10%.	Filings open to the public when filed. WIS. STAT. ANN. § 625.14. But Commissioner can protect trade secrets. WIS. STAT. ANN. § 601.58(10)(b). Wisconsin’s Commissioner of Insurance’s website lists recently filed health insurance rate increases that meet or exceed the current federal rate increase threshold of 10% and then directs visitors to https://ratereview.healthcare.gov/ for filing materials.	Person aggrieved by act of Commissioner entitled to hearing, but must be different in kind or degree than general public. WIS. STAT. ANN. § 227.42.
Wyoming	WYO. STAT. ANN § 26-34-109 (HMOs). <i>Does not have an effective rate review program.</i>	File and Use. Prior approval in Individual and Group for HMOs only.	HMO filings are public documents except trade secrets/privileged/ commercial or financial info. WYO. STAT. ANN § 26-34-129. Because Wyoming does not have a health insurance review process, insurers do not submit filings to the state.	Commissioner can hold a hearing for any purpose. WYO. STAT. ANN. § 26-2-125(a). Person aggrieved by Commissioner act entitled to hearing. WYO. STAT. ANN. § 26-2-125(b)(ii).