

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Mississippi Department of Insurance Person to Contact Mark Haire  
Address 1001 Woolfolk Building Address P.O. Box 79  
Jackson, MS Jackson, MS  
Phone 601-359-3577 Transmittal Date May 29, 2002

Copy Attached: Yes  No

Name or Number of Rule(s) Reg. L A & H 73-4, as Amended

Terms or Substance of the Actions or Description of the Subject and Issues:

This is an amendment to Regulation LA & H 73-4 to clarify that said Regulation applies to both individual and group accident and sickness policies, and to require insurers to provide at least sixty (60) days written notice to policyholders prior to implementing any rate increase applicable to an accident and sickness policy.

Printed Name and Title of Person Authorized to File Rules: Mark Haire Special Assistant Attorney General  
Name Title  
Mark Haire  
Signature

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input checked="" type="checkbox"/> Adopted with No Changes in Text <input type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken <u>5-29-02</u> Effective Date <input checked="" type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

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**FILED**  
MAY 29 2002  
MISSISSIPPI  
SECRETARY OF STATE

Accepted for filing by \_\_\_\_\_ Accepted for filing by \_\_\_\_\_ Accepted for filing by Nas

**STATE OF MISSISSIPPI  
OFFICE OF THE COMMISSIONER OF INSURANCE**

**IN THE MATTER OF:**

**ACCIDENT AND HEALTH INSURANCE POLICIES,  
RATES AND OTHER ENDORSEMENT FILINGS  
REGULATION LA & H 73-4, AS AMENDED**

**CAUSE NO. 02-4413**

**ORDER**

This cause came on for hearing to consider the adoption of proposed amendments to Mississippi Department of Insurance Regulation LA & H 73-4, entitled, "Accident and Health Insurance Policies, Rates and Other Endorsement Filings" and the Commissioner of Insurance, having provided interested parties with the opportunity to submit written comments, and having held a public hearing and heard the comments of all interested parties and the evidence produced, finds as follows, to-wit:

**I.**

That on or about April 16, 2002,, the Commissioner of Insurance, or his duly appointed representative, pursuant to the provisions of Miss. Code Ann. § 25-43-7(1) (Rev. 1999), filed with the Secretary of State of the State of Mississippi notice that a public hearing would be held on May 16, 2002, at 9:30 a.m., in the Offices of the Commissioner of Insurance, 10th Floor, Woolfolk State Office Building, 501 N. West Street, Jackson, Hinds County, Mississippi to afford all interested persons the opportunity to submit testimony and evidence, give opinion, make comments or objections concerning proposed Regulation LA & H 73-4, As Amended.

## II.

That the Commissioner of Insurance, or his duly appointed representative, pursuant to the provisions of Miss. Code Ann. § 25-43-7(1) (Rev. 1999), mailed postage prepaid, copies of an Administrative Procedures Filing Notice and Notice of Hearing to all persons who had made timely requests for advance notice of any rule making proceeding.

## III.

That pursuant to said Notice of Hearing, a public hearing was held before the Commissioner of Insurance, or his duly appointed representative, on May 16, 2002, at 9:30 a.m., in the Offices of the Commissioner of Insurance, 10th Floor, Woolfolk State Office Building, 501 N. West Street, Jackson, Hinds County, Mississippi, in which all interested parties were given an opportunity to present their views, opinions, and objections relative to proposed Regulation LA & H 73-4, As Amended.

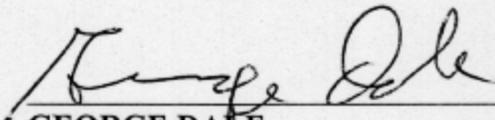
## IV.

That the Commissioner of Insurance, after having considered all relevant evidence, is of the opinion that it will be in the public interest to adopt Mississippi Department of Insurance Regulation LA& H 73-4, As Amended, entitled "Accident and Health Insurance Policies, Rates and Other Endorsement Filings".

**IT IS, THEREFORE, ORDERED** that the Mississippi Department of Insurance Regulation LA & H 73-4, As Amended, a copy of which is attached hereto as Exhibit "A", and made a part hereof as if copied herein in words, lines and figures, should be and same is hereby adopted, to be effective thirty days from and after its filing with the Office of the Secretary of State of the State of Mississippi.

**IT IS FURTHER ORDERED** that any interested person or party who feels they will be adversely affected by this Order shall have ten (10) days from the date of this Order in which such adversely affected person or party may file with the Commissioner a written statement outlining how such person or party will be adversely affected and their reasons for review of this Order.

**SO ORDERED** this the 29<sup>th</sup> day of May, 2002.

  
\_\_\_\_\_  
**GEORGE DALE**  
**COMMISSIONER OF INSURANCE**

# State of Mississippi



Jackson

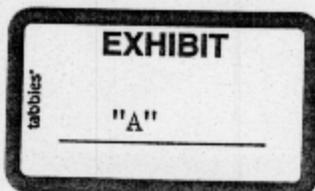
I, **GEORGE DALE**, **COMMISSIONER of INSURANCE**, OF THE STATE OF **MISSISSIPPI**, DO HEREBY CERTIFY THAT

attached is a true and correct copy of Regulation 73-4 entitled "Accident and Health Insurance Policies, Rates and Other Endorsement Filings".

Given under my hand and seal of office, this the 29th day of  
May ~~xxx~~ 2002.

COMMISSIONER of INSURANCE

By *George Dale*  
George Dale  
Commissioner Dale



**Regulation LA&H 73-4, as Amended**

**ACCIDENT AND SICKNESS INSURANCE POLICIES, RATES  
AND OTHER ENDORSEMENT FILINGS**

Whereas, Section 83-9-5(7), Mississippi Code of 1972, Annotated, provides that the Commissioner of Insurance may make reasonable rules and regulations concerning the procedure for the filing or submission of accident and sickness insurance policies; and

Whereas, there seems to have been some misunderstanding in the past as to the requirements of such filings;

It is, therefore, ordered this date that every insurance company, either foreign or domestic, authorized to do accident and sickness business in the State of Mississippi shall, before any policy is issued, file a copy of such policy, accompanied by a rate book or a rate sheet applicable to such policy. In case of any change, including a change of premium rate on any accident and sickness policy, such rate shall be filed with the Department of Insurance, together with information indicating to what policy same is applicable, the date such change in premium rate will be applicable, and all other information relevant to such change in rate. No premium or rate of premium shall be changed by any company, applicable to any accident and sickness policy until such change has been made in the manner herein provided and acknowledgment of such filing made by the Department of Insurance.

No insurance company shall ever, under any circumstances, attempt to place any change of rate or any other change in a policy form into effect except after such change has been filed in this office and acknowledged, and where required by law, approved. In particular, any notice to an insured that a change in policy is being made, either a rate or other change, is prohibited except after filing of such change, acknowledgment thereof, and where required by law, approval. Any change as to a policy already issued may be effected only by endorsement attached to and made a part of such policy.

Additionally, no rate increase shall be implemented by any insurance company applicable to any accident and sickness policy unless written notice is provided to the policyholder at least sixty (60) days prior to the effective date of the increase. Notice of the rate increase may be sent by U.S. mail or electronically where the policyholder conducts transactions with the insurance company electronically.

Every policy or other filing provided for under these rules shall be accompanied by a cover letter, in duplicate, setting out the number and a brief description of such form.

All policy filings must comply with all provisions of the law of this State applicable thereto and this and all other rules of this office pertaining thereto. Nothing herein shall be interpreted as rescinding any other rule and regulation, but these rules are to be interpreted as cumulative to the requirements of any other rules pertaining to the subject matter hereof.

This Regulation shall become effective thirty (30) days after filing with the Office of the Secretary of State of the State of Mississippi.