



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Insurance Commission

TITLE-SERIES: 114-24

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: W. Va. Code §§33-28-5b, 33-2-10, and 33-16-3d

RULE NAME: 114-24 Medicare Supplement Insurance

PLEASE SELECT A SUNSET PROVISION OPTION:

EXTEND THE SUNSET DATE OF THE RULE.

10 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS INCORPORATED BY REFERENCE

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This rule provides for the reasonable standardization of coverage and simplification of terms and benefits of Medicare supplement insurance policies; facilitates public understanding and comparison of Medicare supplement policies; eliminates provisions contained in these policies which may be misleading or confusing in connection with the purchase of Medicare supplement policies or with the settlement of claims; and provides for full disclosures in the sale of these policies to Medicare eligible individuals.

This rule is based upon the National Association of Insurance Commissioners' Model Regulation 651, as updated in 2016.

There are no proposed changes to the existing rule other than an extension of the sunset date.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

In order to prevent federal preemption, states must have an existing Medicare Supplement insurance rule that conforms to the provisions of the Medicare Access and CHIP Reauthorization Act of 2015 (MACRA). 114 CSR 24 was amended in 2019/2020 to reflect the federal 2015 MACRA law, as well as the 2016 updates to the National Association of Insurance Commissioners' (NAIC) Model Regulation 651. The Insurance Commissioner requests a sunset date extension of the rule so the state can continue to regulate Medicare supplement products and avoid federal preemption in this area.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

None.

C. FISCAL NOTE DETAIL:

| Effect of Proposal | Fiscal Year | | |
|------------------------------------|--|--|--|
| | 2024 Increase/Decrease (use "-") | 2025 Increase/Decrease (use "-") | Fiscal Year (Upon Full Implementation) |
| 1. Estimated Total Cost | | | |
| Personal Services | | | |
| Current Expenses | | | |
| Repairs and Alterations | | | |
| Assets | | | |
| Other | | | |
| 2. Estimated Total Revenues | | | |

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

N/A.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Anoop Bhasin -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.