

## IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

### 18.01.30 – INDIVIDUAL DISABILITY AND GROUP SUPPLEMENTAL DISABILITY INSURANCE MINIMUM STANDARDS RULE

DOCKET NO. 18-0130-1701

#### NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 41-211 and 41-4207, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

**Tuesday, July 18, 2017 – 2:30 p.m.**

**Idaho Department of Insurance  
700 W. State Street – 3rd Floor  
Boise, ID 83720**

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the agency either in writing (paper or email) or by calling the phone number listed below, and/or by attending the public meeting.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

**DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Current wording of the preexisting condition definition is ambiguous and may suggest to insurers that the preexisting condition definition does not apply to all policies subject to this rule; clarification will improve understanding of what the Department will allow when reviewing filings of policies other than health benefit plans. Allowing for return of premium to covered persons for specified disease and limited benefit policies will benefit consumers who do not receive benefits from such policies. Allowing for named medical conditions to be excluded in disability income policies will result in more consumers being able to enroll in disability income policies – with a specific condition excluded – rather than being unable to enroll in any disability income policy due to medical underwriting. Updating links and contact information will benefit insurers, consumers and any other persons affected by or interested in this rule.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, submission of comments, or to obtain a preliminary draft copy of the rule text, contact Wes Trexler at [weston.trexler@doi.idaho.gov](mailto:weston.trexler@doi.idaho.gov), or (208) 334-4315. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Insurance website at the following web address: [www.doi.idaho.gov](http://www.doi.idaho.gov).

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 26, 2017.

DATED this 7th day of June, 2017.

Dean L. Cameron, Director  
Phone: (208) 334-4250  
Fax: (208) 334-4398

Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83702-0043