

**SENATE . . . . . No. 487**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael J. Rodrigues***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Division of Insurance to notify health plans of its rate decision at least 60 days prior to the effective date.

PETITION OF:

NAME:

*Michael J. Rodrigues*

DISTRICT/ADDRESS:

*First Bristol and Plymouth*

**SENATE . . . . . No. 487**

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By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 487) of Michael J. Rodrigues for legislation relative rate decisions by the Division of Insurance. Financial Services.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act relative to the Division of Insurance to notify health plans of its rate decision at least 60 days prior to the effective date.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 6 of chapter 176J is hereby amended by striking out subsection (f)  
2 and inserting in place thereof the following subsection:-

3 (f) If the commissioner disapproves the rate submitted by a carrier the commissioner shall  
4 notify the carrier in writing no later than 60 days prior to the proposed effective date of the  
5 carrier’s rate. If the commissioner fails to issue a written decision 60 days prior to the proposed  
6 effective date of the rate, the carrier’s proposed base rates shall be deemed approved. If the  
7 carrier’s proposed based rate has been disapproved, the carrier may submit a request for hearing  
8 with the division of insurance within 10 days of such notice of disapproval. The division must  
9 schedule a hearing within 10 days of receipt. The commissioner shall issue a written decision  
10 within 30 days after the conclusion of the hearing.