

**RHODE ISLAND GOVERNMENT REGISTER
ADVANCE NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF BUSINESS REGULATION (INCLUDES THE OFFICE OF THE
HEALTH INSURANCE COMMISSIONER)**

Title of Rule: Powers and Duties of the Office of the Health Insurance Commissioner

Rule Identifier: 230-RICR-20-30-4

Rulemaking Action: Advance Notice of Proposed Rulemaking

Important Dates:

Date of Public Notice: 11/23/2021

End of Public Comment: 12/23/2021

Authority for this Rulemaking:

R.I. Gen. Laws § 42-14.5-1, et seq., 42-14-5, 42-14-17

Summary of Rulemaking Action:

The Office of the Health Insurance Commissioner (OHIC) is seeking input on the future direction of the Affordability Standards, 230RICR20304.10. The Affordability Standards are designed to improve the affordability of health insurance by ensuring that health insurance companies regulated by OHIC are taking necessary action to improve the efficiency and quality of health care in the state. As part of its statutory powers and duties (RIGL 4214.5 et seq.), OHIC has promulgated several requirements for insurers that embrace increased investments in primary care and practice transformation, expanded use of alternative payment models, and regulatory guardrails on provider contracting which seek to limit cost inflation. OHIC is soliciting input from interested parties on the future direction of the Affordability Standards. In offering input, interested parties are encouraged to bear in mind the following health policy objectives:

1. Improved affordability of health insurance.
2. Improved health care quality, inclusive of patient safety, effectiveness, efficiency, timeliness of care, patientcenteredness, and equity.
3. Better integration of physical and behavioral health care.
4. Reduced administrative burden and improved clinician wellbeing.

The attachment *Next Generation Affordability Standards: Concepts, Rationale, and Additional Information* compiles a set of potential modifications to the Affordability Standards that are under serious consideration by OHIC. In addition to these

potential modifications, stakeholders are welcomed to propose other ideas for consideration.

BACKGROUND

The Affordability Standards were developed in 2009¹⁰ by the Office of the Health Insurance Commissioner (OHIC) in consultation with its legislatively created Health Insurance Advisory Council. The Affordability Standards are a core component of OHIC's efforts to meet its statutory mission to improve the health care system, to protect consumers, and to improve the affordability of health insurance. As part of the annual rate review process for health insurance premiums, health insurers are required to prove that the rates filed for approval by OHIC are consistent with the proper conduct of the health insurer's business and the public interest. Given the public's interest in affordable health insurance, OHIC developed the Affordability Standards to systematize regulatory requirements for insurers to demonstrate their efforts to improve affordability and health care quality.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until December 23, 2021 by contacting the appropriate party at the address listed below:

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