



Health Insurance Bulletin

2010-3

All Health Insurance Policy Forms Must be Readable at the 8th Grade Level

Applies to all policies delivered, issued for delivery, or renewed in Rhode Island on or after August 31, 2010

OHIC Regulation 5 requires all individual or group health insurance policies, contracts, certificates or agreements delivered, issued for delivery, or renewed in Rhode Island on or after August 31, 2010 to be written at or below the eighth-grade reading level as measured by the Flesch-Kincaid formula.

Effective immediately, OHIC will require that the attached certification form be completed with all health insurance form filings made through the SERFF system. A copy of this bulletin and the certification form will be available through the SERFF system.

Form filings will be acceptable if accompanied by a certification form that indicates that the text of the form produces a Flesch-Kincaid score of no higher than 8.9. Filers may submit a certification form with an alternate method or formula for evaluating readability as long as the filer can demonstrate that the alternate method or formula can be used to determine a reading level at or below the eighth-grade reading level.¹

This requirement applies to all health insurance forms required to be submitted to OHIC for approval, including, but are not limited to, certificates of coverage, subscriber agreements, endorsements and modifications to contracts, policies, benefits booklets, and summary plan descriptions.

Christopher F. Koller
Health Insurance Commissioner
May 19, 2010

¹ In *The Art of Readable Writing*, Flesch (1949, p. 149), explained that a score of 60 to 70 resulted in an estimated reading grade level of eighth to ninth grade. We will therefore accept a Flesch Reading Ease score of 65 as an alternative to an eighth grade reading level score on the Flesch-Kincaid formula.

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Readability Certification

This certificate of compliance must accompany all health insurance policy form filings for every individual or group health insurance policy, contract, certificate or agreement that will be delivered, issued for delivery, or renewed in Rhode Island on or after August 31, 2010.

Instructions:

If the policy form you are submitting for approval meets the minimum reading level requirement and other standards set out by Regulation 5, please complete Section A of this certification form and skip Section B. If the policy form you are submitting for approval *does not* meet the minimum reading level requirement and/or other standards set out by Regulation 5, please skip Section A and complete Section B of this certification form.

Section A (To be completed only if the policy form meets the minimum reading level requirement and other standards set out by Regulation 5)

Grade level formula used. (Please check one of the following.)

- The text of the policy form does not exceed the eighth-grade reading level as measured by the Flesch-Kincaid formula. The Flesch-Kincaid reading level of this policy form is _____ . (The score must not exceed 8.9.)
- We have used an alternative method or formula for evaluating the readability of the policy form instead of the Flesch-Kincaid formula. We have provided documentation to demonstrate that the alternate method or formula can be used to determine a reading level at or below the eighth-grade reading level. The reading level of this policy form is _____ . (Documentation supporting the alternative method must be attached.)²

² In *The Art of Readable Writing*, Flesch (1949, p. 149), explained that a score of 60 to 70 results in an estimated reading grade level of eighth to ninth grade. We will therefore accept a Flesch Reading Ease score of 65 as an alternative to an eighth grade reading level score on the Flesch-Kincaid formula without additional supporting documentation.

Certification

I hereby certify that the form(s) submitted herewith comply with the requirements of OHIC Regulation 5, including:

- ✓ The text of the form is readable at no higher than the eighth grade level (i.e., it measures no more than 8.9 on the Flesch-Kincaid formula reading or has been shown to be written at no higher than an eighth grade level using an alternate method or formula).
- ✓ The form is printed in not less than twelve point type, excluding specification pages, schedules and tables and minor instructions.
- ✓ The style, arrangement and overall appearance of the form gives no undue prominence to any portion of the text of the policy or to any endorsements or riders.
- ✓ If the form has more than 3,000 words or more than three pages regardless of the number of words, it contains a table of contents or an index of its principal sections.
- ✓ This certification has been signed by an officer of the insurer or someone else who has specific authority to sign on behalf of and bind the insurer.

On behalf of the insurer:

Signature

Printed or typed name

Title

Date

Section B (To be completed only if the policy form does not meet the minimum reading level requirement and/or other standards set out by Regulation 5)

The policy form submitted herewith does not meet the minimum reading level requirement and/or other standards set out by Regulation 5. We request approval of the policy form pursuant to Section 6 of Regulation 5.

Filed with this certification form is:

- ✓ A statement that explains why approval is sought.
- ✓ Documentation and information to supporting the request.

This certification has been signed by an officer of the insurer or someone else who has specific authority to sign on behalf of and bind the insurer.

Signature

Printed or typed name

Title

Date