



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

BULLETIN 2014-07

TO: ALL HEALTH INSURANCE ISSUERS AND HEALTH MAINTENANCE ORGANIZATIONS

FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE

RE: HEALTH RATE & FORM FILING CONFIDENTIALITY UNDER THE LOUISIANA PUBLIC RECORDS ACT

DATE: NOVEMBER 14, 2014

Under the provisions of La. R.S. 44:1, et seq., the Louisiana Public Records Act (Act), the Louisiana Department of Insurance (LDI) as the custodian of documents, in this case health rate and form filings, determines which contents of the documents are or are not proprietary or confidential, or that contain trade secret information. Some issuers, upon filing rates and forms with the LDI, mark all contents as confidential under the Act, regardless of whether such contents constitute proprietary or trade secret information under the Act.

All issuers are hereby advised that the LDI has determined the following, and that such determination is applicable to all issuers:

1. No health insurance form-related filings, including applications materials, marketing or other informational or non-rate filings are regarded as confidential, proprietary or possessing trade secret information.
2. Major medical health insurance policy forms filed with the LDI shall not be regarded as confidential beyond the commencement of the Open Enrollment period for the applicable policy or plan year pursuant to La. R.S. 22:972.
3. For major medical rate filings, the following forms or parts of rate filings are not regarded as confidential, proprietary, or possessing trade secret information beyond the commencement of the Open Enrollment period for the applicable policy or plan year pursuant to La. R.S. 22:972:
 - a. Part I of the Unified Rate Review Template;
 - b. Part II of the Unified Rate Review Template;
 - c. Any rating tables associated with rate filings;
 - d. Any meta-data associated with electronic or other filings.

4. For major medical rate filings, the following forms or parts of rate filings are regarded as confidential, proprietary, or possessing trade secret information:
- a. Part III of the Unified Rate Review Template;
 - b. The Business Rules Table;
 - c. The Louisiana-specific Rate Template created by the LDI, which is largely an extension of Part III of the Unified Rate Review Template.

On November 15, 2014, health rate and form filings will be available to the public via the new online system SERFF Filing Access (SFA). The new interface allows the public to access filings that participating states have made available. The system will be accessible beginning on November 15 via the following link on the LDI webpage: www.lidi.la.gov/healthrates. The SFA system is intended to facilitate an alternative and faster means of accessing rate and form filings. Filings will continue to be available in response to public records requests.

For questions relative to the submission of rate filings, please e-mail healthrates@ldi.la.gov. For questions relative to the filing of policy forms or other non-rate filings, please e-mail healthforms@ldi.la.gov. For questions or clarification with regard to Bulletin 2014-07, please contact the Louisiana Department of Insurance, Office of Health Insurance, by telephone at (225) 219-4770.

Baton Rouge, Louisiana, this 14th day of November 2014.



JAMES J. DONELON
COMMISSIONER OF INSURANCE