



## **DOMESTIC/FOREIGN INSURERS BULLETIN NO. 38**

To: All Health Insurers  
RE: Reporting Exempt Plan Numbers  
Dated: May 26, 2010

Department of Insurance Regulation 1301, Internal Review, Arbitration and Independent Utilization Review of Health Insurance Claims was adopted on July 1, 2007 and amended effective July 11, 2009, as authorized by 18 Del. C. §§ 6416 and 6417. Certain plans are exempt from arbitration by federal law or regulation.

Section 5.4 of Regulation 1301 requires all carriers to report to the Department of Insurance, on a quarterly basis, a list of exempt plan numbers. It has come to my attention that not all health insurance carriers are reporting as required. The failure to report creates a "rebuttable presumption" that all plans are fully insured. The failure to report is also a violation of Delaware law.

Accordingly, all health insurers shall file with the Department a list of all exempt plan numbers. Said reports must be received by the Department no later than the 30<sup>th</sup> day of June, 2010 and on a quarterly basis thereafter.

Reports shall be delivered to Consumer Services, Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904.

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Karen Weldin Stewart, CIR-ML  
Commissioner