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The Commonwealth of Massachusetts
HEALTH POLICY COMMISSION
50 MILK STREET, 8TH FLOOR
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DAVID M. SELTZ
EXECUTIVE DIRECTOR

NOTICE OF PUBLIC HEARING

Pursuant to M.G.L. c. 30A, § 2 and M.G.L. c. 6D, the Health Policy Commission (the “Commission”) will hold a public hearing regarding **proposed amendments to 958 CMR 3.000 – Health Insurance Consumer Protection.**

The proposed amendments are authorized by M.G.L. c. 6D, § 16 and c. 176O § 13 through 16 and align the existing regulation with changes enacted pursuant to Chapter 177 of the Acts of 2022, *An Act Addressing Barriers to Care for Mental Health*.

Scheduled hearing date:

Thursday, March 2, 2023, 2:00 PM

The hearing will be virtual and livestreamed for the public via the Commission’s YouTube channel, <https://www.youtube.com/channel/UCGZknspl63TdBuHLf3IrrKQ>

The Commission encourages interested parties to submit either oral or written testimony and comments. **Those wishing to provide testimony during the hearing may sign up to do so by emailing hpc-testimony@mass.gov.** Written comments may be submitted to hpc-testimony@mass.gov. All submissions must include the sender’s full name and address. Parties who are unable to submit electronic comments should mail submissions to Nancy K. Ryan, Director, Office of Patient Protection, Health Policy Commission, 50 Milk Street, 8th Floor, Boston, MA 02109. **All testimony and comments must be received by 5:00 PM on March 9, 2023.**

All written or oral comments submitted to the Commission may be posted on the Commission’s website and released in response to a request for public records.

The text of the proposed amendments may be viewed on the Commission’s website at <https://www.mass.gov/info-details/hpc-special-events-and-public-sessions>.



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February 1, 2023

SMALL BUSINESS IMPACT STATEMENT

In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.

Agency Submitting Regulation: Health Policy Commission

Subject Matter of Regulation:

Regulation No: 958 CMR 3.000

Statutory Authority: M.G.L. c. 176O, § 16 and M.G.L. c. 6D, §§ 13 through 16 as amended by Chapter 177 of the Acts of 2022

Other Agencies Affected: Division of Insurance

Other Regulations That May Duplicate or Conflict with the Regulation: None

Describe the Scope and Objectives of the Regulation: The proposed updates to 958 CMR 3.000 are authorized by M.G.L. c. 6D, § 16 and M.G.L. c. 176O §§ 13 through 16 as amended by Chapter 177 of the Acts of 2022. The proposed regulation amends certain internal processes at health plans, including the internal grievance process, and the Office of Patient Protection's external review process. There should be no significant impact on municipalities due to the regulation.

Business Industry(ies) Affected by the Regulation: 524114 (Direct Health and Medical Insurance Carriers)

Types of Businesses Included in the Industry(ies): 524114, Health insurance carriers offering fully-insured health plans in Massachusetts

Total Number of Small Businesses Included in the Regulated Industry(ies): 0

Number of Small Businesses Potentially Subject to the Proposed Regulation: 0

Based on a search of the SBA's online database of self-certified small businesses, there are no small businesses that will be subject to 958 CMR 3.000.

Effective Date Used In Cost Estimate: January 25, 2023

Yes	No	<i>*Note: For each question, please answer "yes" or "no" and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</i>
Yes	No	Will small businesses have to create, file, or issue additional reports?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design standards?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will the regulation have the effect of creating additional taxes and/or fees for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can the regulation provide for less stringent compliance or reporting requirements for small businesses?

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can the compliance or reporting requirements be consolidated or simplified for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No small businesses would be subject to this regulation.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe. No small businesses would be subject to this regulation.