

MAURA T. HEALEY GOVERNOR

**KIMBERLEY DRISCOLL** LIEUTENANT GOVERNOR COMMONWEALTH OF MASSACHUSETTS Office of Consumer Affairs and Business Regulation DIVISION OF INSURANCE One Federal Street, Suite 700 • Boston, MA 02110 (617) 521-7794 • Toll-free (877) 563-4467 www.mass.gov/doi

> MICHAEL T. CALJOUW COMMISSIONER OF INSURANCE

#### Proposed Amendments to Division of Insurance Regulations 211 CMR 16.00, 211 CMR 90.00, 211 CMR 110.00, 211 CMR 140.00 and 211 CMR 144.00 Docket No. G2025-04

#### NOTICE OF HEARING

Pursuant to M.G.L. c. 30A and the authority granted to the Commissioner of Insurance ("Commissioner") under M.G.L. c. 152, c. 175, and c. 176H, the Commissioner will hold a hearing on August 21, 2025 at 10:00 a.m. to consider proposed amendments to these regulations. The hearing will be held virtually using TEAMS, a digital meeting program. The purpose of the hearing is to afford persons who wish to comment on these proposed regulatory changes an opportunity to do so.

The proposed regulatory changes are summarized below.

211 CMR 16.00. <u>Petitions for the Adoption, Amendment or Repeal of Regulations</u>. The amendment removes the requirement that submissions be submitted on paper by first class mail and allows submission by electronic mail.

211 CMR 90.00. <u>Legal Services Plans</u>. The amendments remove requirements that filings be made on paper and that company records be kept on microfilm.

211 CMR 110.00. <u>Procedures Concerning Rate Filings and the Conduct of Hearings for Workers' Compensation</u> <u>Insurance</u>. The amendments remove the requirements for submitting paper copies of filings and allow for electronic submission.

211 CMR 140.00. <u>Procedures Concerning the Merger or Consolidation of Insurance Companies</u>. The amendments remove requirements for submitting multiple copies of filings on paper or computer discs and allow for electronic submission of such documents.

211 CMR 144.00. <u>Procedures for the Regulatory Review of and Public Hearings on Plans of Reorganization or</u> <u>Conversion pursuant to M.G.L. c. 175, §§ 19F-19W</u>. The amendments remove requirements for submitting multiple copies of filings on paper or computer discs and allow for electronic submission of such documents.

The proposed changes are available for inspection on the Division's website at: <u>https://www.mass.gov/lists/division-of-insurance-public-hearings</u>

Persons who wish to attend the public hearing must register to attend by sending an email including their name, telephone number and email address to <u>doidocket.mailbox@mass.gov</u> at least two days before the scheduled hearing date. The registration must refer to Docket No G2025-04 and specify the regulation(s) on which they wish to comment. An email with instructions for joining the hearing will be sent on the day before the hearing.

Dated: June 13, 2025

Michael Car

Michael T. Caljouw Commissioner of Insurance

CMR No: 211 CMR 16, Petitions for the Adoption of Regulations Estimate of the Number of Small Businesses Impacted by the Regulation: 0		
Yes	No	Will small businesses have to create, file, or issue additional reports?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to implement additional recordkeeping procedures?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to provide additional administrative oversight?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to hire additional employees in order to comply with the proposed
	$\square$	regulation?
		No small businesses were identified to be included in the regulated industry.
Yes	No 🖾	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
		accountant, engineer, etc.)? No small businesses were identified to be included in the regulated industry.
		No small businesses were identified to be included in the regulated industry.
Yes	No	Does the regulation require small businesses to purchase a product or make any other capital
	$\square$	investments in order to comply with the regulation?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Are performance standards more appropriate than design/operational standards to accomplish the
		regulatory objective?
		(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what
		actions regulated parties must take.) This regulation was written in a performance standard manner
		where appropriate.
Yes	No	Do any other regulations duplicate or conflict with the proposed regulation?
	$\square$	There are no duplicate or conflicting regulations.
Yes	No	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory
	$\boxtimes$	enforcement activities?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Does the regulation require small businesses to provide educational services to keep up to date with
		regulatory requirements?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
		No small businesses were identified to be included in the regulated industry. This regulation will not deter the formation of small businesses.
Yes	No 🖂	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
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		No small businesses were identified to be included in the regulated industry. This regulation is unlikely to encourage the formation of small businesses.
Yes	No X	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No 🖾	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No small businesses were identified to be included in the regulated industry. This regulation was written with performance standards in mind when appropriate.
Yes	No 🖾	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No small businesses were identified to be included in the regulated industry.

CMR	CMR No: 211 CMR 90.00 - Legal Services Plans			
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Estima	ate of th	e Number of Small Businesses Impacted by the Regulation: 0 Select Yes or No and Briefly Explain		
Yes	No	Will small businesses have to create, file, or issue additional reports?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No	Will small businesses have to implement additional recordkeeping procedures?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No	Will small businesses have to provide additional administrative oversight?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No 🖂	Will small businesses have to hire additional employees in order to comply with the proposed regulation?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No 🖂	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No 🖂	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No 🖂	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?		
		Not applicable.		
Yes	No	Do any other regulations duplicate or conflict with the proposed regulation?		
		There are no duplicate or conflicting regulations.		
Yes	No 🖾	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No 🖂	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?		
		No small businesses were identified to be included in the regulated industry.		
Yes	No X	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?		
		No small businesses were identified to be included in the regulated industry. This regulation will not deter the formation of small businesses.		
Yes	No 🖂	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?		
		No small businesses were identified to be included in the regulated industry. This regulation is unlikely to encourage the formation of small businesses.		

Yes	No X	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No 🖾	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No 🛛	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No small businesses were identified to be included in the regulated industry. This regulation was written with performance standards in mind when appropriate.
Yes	No 🖾	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No small businesses were identified to be included in the regulated industry.

CMR No: 211 CMR 110 Procedures for Rate Filings and Conduct of Hearings for Workers' Compensation	
Insurance	

Estimate of the Number of Small Businesses Impacted by the Regulation: 0		
		Select Yes or No and Briefly Explain
Yes	No	Will small businesses have to create, file, or issue additional reports?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to implement additional recordkeeping procedures?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to provide additional administrative oversight?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to hire additional employees in order to comply with the proposed
	$\boxtimes$	regulation?
		No small businesses were identified to be included in the regulated industry.
Yes	No 🖂	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
		accountant, engineer, etc.)?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Does the regulation require small businesses to purchase a product or make any other capital
	$\square$	investments in order to comply with the regulation?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Are performance standards more appropriate than design/operational standards to accomplish the
$\square$		regulatory objective?
		(Performance standards express requirements in terms of outcomes, giving the regulated party
		flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) This regulation was written in a performance standard manner
		where appropriate.
Yes	No	Do any other regulations duplicate or conflict with the proposed regulation?
		There are no duplicate or conflicting regulations.
Yes	No 🖂	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory
		enforcement activities?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Does the regulation require small businesses to provide educational services to keep up to date with
	$\boxtimes$	regulatory requirements?
		No. It does not affect any small business
Yes	No	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? This regulation
		will not deter the formation of small businesses.
Yes	No	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
	$\boxtimes$	

		No small businesses were identified to be included in the regulated industry. This regulation is unlikely to encourage the formation of small businesses.
Yes	No X	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No 🖾	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No small businesses were identified to be included in the regulated industry. This regulation was written with performance standards in mind when appropriate.
Yes	No 🖾	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No small businesses were identified to be included in the regulated industry.

#### **Small Business Impact Statement** (As required by M.G.L. c. 30A §§ 2, 3 & 5) CMR No: 211 CMR 140.00, Procedures concerning the merger or consolidation of insurance companies Estimate of the Number of Small Businesses Impacted by the Regulation: 0 Select Yes or No and Briefly Explain Yes No Will small businesses have to create, file, or issue additional reports? $\boxtimes$ No small businesses were identified to be included in the regulated industry. Yes No Will small businesses have to implement additional recordkeeping procedures? $\boxtimes$ No small businesses were identified to be included in the regulated industry. Will small businesses have to provide additional administrative oversight? Yes No $\boxtimes$ No small businesses were identified to be included in the regulated industry. Yes No Will small businesses have to hire additional employees in order to comply with the proposed $\square$ regulation? No small businesses were identified to be included in the regulated industry. Yes No Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, $\square$ accountant, engineer, etc.)? No small businesses were identified to be included in the regulated industry. Yes No Does the regulation require small businesses to purchase a product or make any other capital $\boxtimes$ investments in order to comply with the regulation? No small businesses were identified to be included in the regulated industry. Yes No Are performance standards more appropriate than design/operational standards to accomplish the $\boxtimes$ regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) This regulation was written in a performance standard manner where appropriate. Yes Do any other regulations duplicate or conflict with the proposed regulation? No $\boxtimes$ There are no duplicate or conflicting regulations. Yes No Does the regulation require small businesses to cooperate with audits, inspections or other regulatory $\boxtimes$ enforcement activities? No small businesses were identified to be included in the regulated industry. Yes No Does the regulation require small businesses to provide educational services to keep up to date with $\boxtimes$ regulatory requirements? No small businesses were identified to be included in the regulated industry. Is the regulation likely to *deter* the formation of small businesses in Massachusetts? Yes No $\boxtimes$ No small businesses were identified to be included in the regulated industry. This regulation will not deter the formation of small businesses. Yes No Is the regulation likely to encourage the formation of small businesses in Massachusetts? $\boxtimes$

		No small businesses were identified to be included in the regulated industry. This regulation is unlikely to encourage the formation of small businesses.
Yes	No X	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
Yes	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
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Yes	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No small businesses were identified to be included in the regulated industry. This regulation was written with performance standards in mind when appropriate.
Yes	No 🖾	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No small businesses were identified to be included in the regulated industry.

#### CMR No: 211 CMR 144.00, Procedures for the Regulatory Review of and Public Hearings on Plans of Reorganization or Conversion Pursuant to M.G.L. C. 175, §§ 19F Through 19W

Estimate of the Number of Small Businesses Impacted by the Regulation: 0		
	-	Select Yes or No and Briefly Explain
Yes	No	Will small businesses have to create, file, or issue additional reports?
	$\boxtimes$	No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to implement additional recordkeeping procedures?
	$\boxtimes$	No small businesses were identified to be included in the regulated industry.
Yes	No	Will small businesses have to provide additional administrative oversight?
	$\boxtimes$	No small businesses were identified to be included in the regulated industry.
Yes	No 🖂	Will small businesses have to hire additional employees in order to comply with the proposed
		regulation? No small businesses were identified to be included in the regulated industry.
Yes	No	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
	$\boxtimes$	accountant, engineer, etc.)?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Does the regulation require small businesses to purchase a product or make any other capital
	$\square$	investments in order to comply with the regulation?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Are performance standards more appropriate than design/operational standards to accomplish the
$\boxtimes$		regulatory objective?
		(Performance standards express requirements in terms of outcomes, giving the regulated party
		flexibility to achieve regulatory objectives and design/operational standards specify exactly what
		actions regulated parties must take.) This regulation was written in a performance standard manner where appropriate.
Yes	No	Do any other regulations duplicate or conflict with the proposed regulation?
	$\boxtimes$	There are no duplicate or conflicting regulations.
Yes	No	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory
	$\boxtimes$	enforcement activities?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Does the regulation require small businesses to provide educational services to keep up to date with
	$\square$	regulatory requirements?
		No small businesses were identified to be included in the regulated industry.
Yes	No	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
	$\square$	No small businesses were identified to be included in the regulated industry. This regulation will not
		deter the formation of small businesses.
Yes	No	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?

		No small businesses were identified to be included in the regulated industry. This regulation is unlikely to encourage the formation of small businesses.
Yes	No 🛛	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No small businesses were identified to be included in the regulated industry.
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Yes	No 🖾	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No small businesses were identified to be included in the regulated industry.