



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

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**Proposed Amendments to Division of Insurance Regulation 211 CMR 149.00 and
Proposed Rescission of 211 CMR 64.00 and 211 CMR 147.00
Docket No. G2025-03**

NOTICE OF HEARING

Pursuant to M.G.L. c. 30A and the authority granted to the Commissioner of Insurance under c. 17C, c. 176O, and c. 288, § 50 of the Acts of 2010, the Commissioner will hold a hearing on August 14, 2025 at 10:00 a.m. to consider proposed amendments to one regulation and the rescission of two regulations, as indicated above. 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 changes are summarized below.

211 CMR 64.00. Definitions of Medical Insurance for M.G.L. c. 118E. The regulation was originally promulgated to define, in coordination with MassHealth, terms used in M.G.L. c. 118E, § 9C. Those terms are now defined by statute. MassHealth has confirmed that it is no longer necessary. The regulation no longer serves a purpose and should be rescinded.

211 CMR 147.00. Methodology for Calculating and Reporting Medical Loss Ratios of Health Benefit Plans. The regulation prescribed a methodology for calculating medical loss ratios for the purpose of rate filings and premium rebates. The Division subsequently instructed carriers to use a federal calculation methodology. The regulation no longer serves a purpose and should be rescinded.

211 CMR 149.00. Annual Comprehensive Financial Statements Pursuant to M.G.L. c. 176O, § 21. The amendments are proposed because the underlying statute no longer requires health insurers to file an annual comprehensive financial statement with the Division.

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

Persons who wish to attend the public hearing must register by sending an email including their name, telephone number and email address to doidocket.mailbox@mass.gov at least two days before the scheduled hearing date. The registration must refer to Docket No G2025-03 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 T. Caljouw
Commissioner of Insurance

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 211 CMR 64, Definitions of Qualified Medical Insurance for M.G.L. c. 118E, § 9C

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
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.)? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? Not applicable. This regulation is being rescinded.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? There are no duplicate or conflicting regulations.
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? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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. Rescission of this regulation will not deter the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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. Rescission of this regulation is unlikely to encourage the formation of small businesses.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? Not applicable. This regulation is being rescinded.
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 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 147, Methodology for calculating and reporting medical loss ratios (MLRs) of health benefit plans

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
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.)? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? Not applicable. This regulation is being rescinded.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? There are no duplicate or conflicting regulations.
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? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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. Rescission of this regulation will not deter the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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. Rescission of this regulation is unlikely to encourage the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? Not applicable. This regulation is being rescinded.
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 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 149, Annual comprehensive financial statements pursuant to M.G.L. c. 176O, § 21

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
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.)? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? There are no duplicate or conflicting regulations.
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? No small businesses were identified to be included in the regulated industry.
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? No small businesses were identified to be included in the regulated industry.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	No small businesses were identified to be included in the regulated industry. This regulation is unlikely to encourage the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 <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 were identified to be included in the regulated industry.