



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of Consumer Information and  
Insurance Oversight

200 Independence Avenue SW  
Washington, DC 20201

DATE: June 14, 2010

TO: Issuers of Health Insurance

FROM: Karen Pollitz  
Director of Office of Consumer Support

SUBJECT: Failure to Comply with Federal Reporting Requirements

Your organization has been tentatively identified as an entity subject to recently published federal regulations governing health insurance issuers. These regulations require the production of certain data regarding health insurance coverage in the individual and small group markets. If this tentative identification is accurate, your organization was required to provide information to the Department of Health and Human Services by May 26, 2010. We are not in receipt of these required materials. Please read and comply with the following instructions by no later than Friday, June 18, 2010.

Section 1103 of the Patient Protection and Affordable Care Act (ACA), P.L. 111-148, requires the establishment of an internet Web site (referred to as a Web portal) through which individuals and small businesses can obtain information about the insurance coverage options that may be available to them in their State. An Interim Final Rule with Comment (IFC) was published on May 5, 2010 that, among other things, identified the data that health insurance issuers are required to produce under this statutory authority. *See*, 75 Fed. Reg. 24470. Health insurance issuers were defined to be, "licensed to engage in the business of insurance in a State and which is subject to State law which regulates insurance." Pursuant to the guidance we issued concerning implementation of these regulations, health insurance issuers, are required to report on their major medical products by May 26, 2010 for incorporation into a federal health insurance web portal. This guidance can be found at <http://www.hhs.gov/ociio/gatheringinfo/index.html>

The Department of Health and Human Services has used information from state insurance departments and the NAIC to tentatively identify your organization as a health insurance issuer. We are not in receipt of your organization's filings that were required under the above-cited regulation.

**If your organization currently offers major medical health insurance in the individual or small group markets, regardless of the market share, number of enrolled persons, or current enrollment status (open or closed to enrollment) your organization must submit the required information in accordance with the above-cited regulation.** Do not respond to the email to which this letter is attached. Please see the materials provided at <http://www.hhs.gov/ociio/gatheringinfo/index.html> for additional information about your reporting requirements. This site provides a reporting form that your organization must fill out, technical instructions, background information and contact information. For technical assistance please call 877-343-6507, or email [insuranceoversight@hhs.gov](mailto:insuranceoversight@hhs.gov).

**If your organization is licensed, or is otherwise approved by a state to provide major medical health insurance in the individual market or small group market, but your organization does not NOT currently offer any major medical health insurance in the individual or small group markets, please reply to the email to which this letter is attached without changing the subject line, and complete the following information:**

Company name:  
NAIC code (if applicable):

In the table below, please replace the underscore ( \_ ) with the letter x.

Our firm is licensed, or is otherwise approved by the following State(s) to provide major medical health insurance in the individual or small group markets. However, we do not have any major medical health insurance in these markets at this time, including blocks of business closed to enrollment that have at least one enrollee:

<input type="checkbox"/> Alabama	<input type="checkbox"/> Alaska	<input type="checkbox"/> Arizona	<input type="checkbox"/> Arkansas
<input type="checkbox"/> California	<input type="checkbox"/> Colorado	<input type="checkbox"/> Connecticut	<input type="checkbox"/> Delaware
<input type="checkbox"/> Florida	<input type="checkbox"/> Georgia	<input type="checkbox"/> Hawaii	<input type="checkbox"/> Idaho
<input type="checkbox"/> Illinois	<input type="checkbox"/> Indiana	<input type="checkbox"/> Iowa	<input type="checkbox"/> Kansas
<input type="checkbox"/> Kentucky	<input type="checkbox"/> Louisiana	<input type="checkbox"/> Maine	<input type="checkbox"/> Maryland
<input type="checkbox"/> Massachusetts	<input type="checkbox"/> Michigan	<input type="checkbox"/> Minnesota	<input type="checkbox"/> Mississippi
<input type="checkbox"/> Missouri	<input type="checkbox"/> Montana	<input type="checkbox"/> Nebraska	<input type="checkbox"/> Nevada
<input type="checkbox"/> New Hampshire	<input type="checkbox"/> New Jersey	<input type="checkbox"/> New Mexico	
<input type="checkbox"/> New York	<input type="checkbox"/> N. Carolina	<input type="checkbox"/> N. Dakota	
<input type="checkbox"/> Ohio	<input type="checkbox"/> Oklahoma	<input type="checkbox"/> Oregon	<input type="checkbox"/> Pennsylvania
<input type="checkbox"/> Rhode Island	<input type="checkbox"/> S. Carolina	<input type="checkbox"/> S. Dakota	<input type="checkbox"/> Tennessee
<input type="checkbox"/> Texas	<input type="checkbox"/> Utah	<input type="checkbox"/> Vermont	<input type="checkbox"/> Virginia
<input type="checkbox"/> Washington	<input type="checkbox"/> W. Virginia	<input type="checkbox"/> Wisconsin	<input type="checkbox"/> Wyoming
<input type="checkbox"/> Washington, DC			

**If your organization is NOT licensed, or otherwise approved by any state to provide major medical health insurance in the individual or small group markets,** please reply to the email to which this letter is attached without changing the subject line, and complete the following information:

Company name:  
NAIC code (if applicable):

In the sentence below, please replace the underscore ( \_ ) with the letter x.

Our firm is NOT licensed, or otherwise approved by any State to provide major medical health insurance in the individual or small group markets.

**For technical assistance please call 877-343-6507, or email [insuranceoversight@hhs.gov](mailto:insuranceoversight@hhs.gov).**