

Rate Review State-by-State: Public Access to Rate Filing Information

State	Entire filing is public	Filing can be redacted for conf., but actuarial memo available	Filings redacted for conf.	Entire filing non-public	HMOs: When treated separately			Com'r has discretion to accept insurer designations
					HMO filings public	HMO filings redacted for conf.	HMO rates non-public	
AL				x ¹		x		
AK			x			x		
AZ			x					
AR			x ²		x			x
CA	x							
CO		x						x
CT	x							
DE		x						
DC	x					x		
FL			x					
GA				x	x			
HA			x					
ID			x					
IL			x	x ³		x		
IN			x					
IA	x ⁴			x ⁵				x
KS			x					
KY			x ⁶					
LA			x					

Exhibit C

State	Entire filing is public	Filing can be redacted for conf., but actuarial memo available	Filings redacted for conf.	Entire filing non-public	HMOs: When treated separately			Com'r has discretion to accept insurer designations
					HMO filings public	HMO filings redacted for conf.	HMO rates non-public	
ME	X ⁷		X					
MD	X							
MA			X	X ⁸				
MI	X ⁹						X	
MN			X					
MS				X ¹⁰			X	
MO			X ¹¹					
MT			X				X	
NE	X							
NV	X ¹²							
NH			X ¹³					
NJ			X					
NM			X ¹⁴			X	X	
NY	X							
NC			X ¹⁵					
ND			X					
OH			X					
OK			X			X		
OR	X ¹⁶						X	
PA		X ¹⁷					X	
RI	X ¹⁸					X		
SC			X ¹⁹					

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					HMO filings public	HMO filings redacted for conf.	HMO rates non-public	
SD	x							
TN	x							
TX			x					
UT			x					
VT			x ²⁰				x	
VA			x ²¹					
WA			x					
WV	x							
WI			x				x	
WY						x		

¹ But ACA filings available through HFAI. (Website).

² Actuarial justifications are confidential, §23-61-103, but Com'r has discretion to disclose to an aggrieved party. *Id.*

³ Small employer rating information considered proprietary and trade secret cannot be released by Com'r. § 215 ICS 93/30(c).

⁴ Rate filings and supporting information are public records. §505.17(2). But Com'r must consider request by insurer to keep certain documents confidential. § 505.17(2)(a). Rate filings and information submitted at hearings considered public records, unless already treated as confidential by a government entity. IAC 191--36.20(7).

⁵ Small group rating and renewal underwriting practices are considered proprietary and trade secret. § 513B.7.

⁶ Short summaries of filings available on DOI website. (Website).

Exhibit C

⁷ Small Group filings can protect confidential information. CMR 02-021-940(6)(b).

⁸ Small Group rate filings are confidential. 211 CMR 66.09(2)(b).

⁹ But Com'r has discretion to make records nonpublic, and he did so for all products filed between March 2013 and September 2013. (Website). Typically, however, the filing, including the actuarial memorandum is available through a FOIA request. (Call with DOI).

¹⁰ Reports, records, and other information in the possession of the DOI re supervision of insurers are confidential. § 83-1-157(1). But Com'r has discretion to make records public. § 83-1-157(4).

¹¹ DOI says see healthcare.gov for filings.

¹² Rate filings and supporting information must be made public upon filing. § 686B.080(1). All rates kept non-public unless otherwise agreed by the insurer. § 686B.080(2).

¹³ DOI says see healthcare.gov for filings.

¹⁴ Under the statute, Insurer's most recent financial statement and actuarial memo must be available to the public on the insurer's website. § 59A-18-13.2(F). In fact, however, only rate filing summaries and annual statements are accessible.

¹⁵ ACA related filings accessible through SERFF. (Website).

¹⁶ Com'r can identify information exempt from disclosure for trade secrets, but all info available on website. § 743.018.

¹⁷ Filings can be redacted, but review of filings showed actuarial memorandum included. (Website).

¹⁸ Catastrophic filings are public. § 42-62-13.

¹⁹ DOI says see healthcare.gov for filings.

²⁰ An "amicus curiae" reviewing the rate can request access to confidential information.

²¹ DOI says company can request the actuarial memo to be held confidential during review, but once reviewed memo is public. (Call with DOI).