

# State of Delaware



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## Department of Insurance

### DOMESTIC/FOREIGN INSURERS BULLETIN NO. 12

#### REGULATION 11 REGISTER OF NON-EXEMPT HEALTH INSURANCE PLANS

Issued: September 17, 2002

Regulation 11 relating to the arbitration of health insurance claims and internal review processes of medical insurance carriers became effective on March 11, 2002. With respect to 18 *Del. C.* §§ 3349(b) and 3565(b)\*, section 4.2 of Regulation 11 recognizes that Regulation 11 would not apply to the arbitration of claims arising under health insurance policies exempt from state regulation under federal law or regulation.

The intent of section 4.2 was to provide an accommodation to health insurers and medical service providers so that providers would be able to efficiently determine whether particular plan identifiers numbers referred to exempt or non-exempt plans. The maintenance of the register was not intended to constitute a conclusive determination on the legal status of a plan. By maintaining such a register, Delaware Insurance Department ("Department") will not conduct any independent inquiry to verify the information provided for the register by any insurer.

The Department will create a register known as the "Register of Non-Exempt Health Insurance Plans". At the end of each quarter starting on September 30, 2002, insurers subject to the provisions of Regulation 11 are to provide to the Department a list of non-exempt plan numbers to which Regulation 11 would apply. Except for plans that are added or deleted between each report, these plan numbers will be the same group and identification numbers plan members present to providers at the time of treatment. The Department will section the register alphabetically by insurer and either numerically or alpha-numerically for the plan identifiers for each insurer.

Insurers shall submit the quarterly list by the fifteenth of the month following the end of each quarter. The list should be provided in Excel format as an attachment to an e-mail transmission or by sending a 3.5" diskette or CD-ROM to the Department. The quarterly report shall include the name of the Insurer's contact person and that person's email address. Any format changes required by the Department shall be provided to the named contact person.

The contact person at the Delaware Insurance Department is Ms. Carol Jones. The e-mail address for submissions is [cjones@deins.state.de.us](mailto:cjones@deins.state.de.us). The mail address is Delaware Insurance Department, 841 Silver Lake Boulevard, Dover, DE 19904-2465. Questions relating to the register may be directed to Ms. Jones at 302-739-4251.

Donna Lee H. Williams  
Insurance Commissioner

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\* Regulation 11 referred to 18 *Del. C.* §§ 3348(b) and 3559E(b). Those sections were renumbered by the Delaware Code revisers to 3349(b) and 3565(b) respectively.