



**COMMONWEALTH OF PENNSYLVANIA
INSURANCE DEPARTMENT**

SPECIAL PROJECTS OFFICE
1326 Strawberry Square
Harrisburg, PA 17120

Phone: (717) 787-4429
Fax: (717) 772-1969
E-mail: pealvatore@state.pa.us

Original: 2292

October 2, 2002

Mr. Robert Nyce
Executive Director
Independent Regulatory Review Comm.
333 Market Street
Harrisburg, PA 17101

**SENT VIA FAX AND REGULAR
MAIL**

**RE: REQUEST FOR TOLLING OF FINAL-OMITTED RULES INSURANCE
DEPARTMENT
Regulation #11-212
31 Pa. Code, Chapter 89, Medicare Supplement Insurance Minimum
Standards**

Dear Mr. Nyce:

By letter dated October 2, 2002, the Independent Regulatory Review Commission (IRRC) identified a clarification issue with respect to the above-referenced final-omitted rules, specifically §89.783(c)(6), §89.790(d)(1) and §89.790(d)(3) and suggested that the issue could be clarified through the tolling procedure found in 1 Pa. Code, §305.7 (relating to procedures for tolling). By this letter, the Pennsylvania Insurance Department is requesting that the time for review of the final-omitted rules be tolled to revise the sections indicated herein. The issues raised by IRRC are as follows:

1. Section 89.783(c)(6) (on page 3) explains how the required charts for Plans A to J can be obtained and outlines how the public will be notified when the charts are amended. However, the section should refer to the source for the charts. This could include a specific reference to the pertinent federal law or regulation.
2. Section 89.783(c)(6) (on page 3) should end with the following phrase: "... will be made available on the Department's website at <http://www.insurance.state.pa.us>."
3. Section 89.790(d)(1) (on page 39) should read "...involuntarily terminated within the first twelve (12) months...."
4. In Section 89.790(d)(3) (on page 40), the end of this paragraph should read "...beginning on the date on which the individual first enrolled with such an organization, provider, plan or program."


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The Department will make the necessary changes and resubmit this final-omitted rule for your consideration within the 30 days allotted to the Department.

If you have any questions regarding this matter, please contact me at (717) 787-4429.

Sincerely yours,



Peter J. Salvatore
Regulatory Coordinator