



GOVERNOR'S OFFICE OF GENERAL COUNSEL

3189

July 13, 2018

Via email and 1st class mail

James M. Smith
Independent Regulatory Review Commission
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Re: Regulation No. 11-256 Medicare Supplement Insurance Minimum Standards

Dear Mr. Smith,

On July 5, 2018, the Department received a request for clarification from the Insurance Federation of Pennsylvania (IFP) regarding language in the Regulatory Analysis Form (RAF) pertaining to whether individuals who are *not* newly eligible for Medicare can still buy Plan C, Plan F, and High Deductible Plan F after 2020. Specifically, the IFP voiced concern with the terms "discontinue" and "discontinuance."

The Department has since discussed the issue with the IFP and confirmed that those plans will only be discontinued for individuals who are newly eligible for Medicare on or after January 1, 2020. Although the term "discontinue" is used in the RAF, insureds who purchase Plan C, Plan F and High Deductible Plan F before January 1, 2020 will be entitled to keep their coverage, and individuals who are eligible for Medicare Part B prior to January 1, 2020 may still purchase these three plans after that date. As such, sections 89.776a, 89.777b and 89.777 of Title 31, which are unchanged by the amendments, will continue to govern these plans.

If you have any questions, please feel free to contact me.

Very truly yours,

Jodi A. Frantz
Deputy Chief Counsel

cc: Sam Marshall, IFP
Seth Mendelsohn, Executive Deputy Insurance Commissioner