



Division of Insurance

124 S. Euclid Ave., 2nd Floor | Pierre, SD 57501
Phone: 605.773.3563 | Fax: 605.773.5369
insurance@state.sd.us
Larry Deiter, Director

SOUTH DAKOTA
DEPT. OF LABOR
& **REGULATION**

Fall 2016

In this Issue

Page 1

2017 Health Care Open Enrollment Starts Nov. 1

October is National Cyber Security Awareness Month

Page 2

2017 Health Care Open Enrollment Starts Nov. 1, Continued

Page 3

Consumer Complaint Portal Available Online

CMS Releases Effectuated Enrollment Snapshot for First Half of 2016

Resources available for Agents and Brokers in the Health Insurance Marketplace Coverage Affordability

2017 Legislative Session

Page 4

DOI Staff in Springfield after Storm

Notice of Public Hearing to Adopt Rule

Recent Administrative Rule Changes & Bulletins

2017 Health Care Open Enrollment Starts Nov. 1

The South Dakota Department of Labor and Regulation Division of Insurance reminds all insurance agents the 2017 Health Care Open Enrollment mandated under the Affordable Care Act (ACA) starts Nov. 1, 2016.

Open enrollment is a time for South Dakotans to review and/or purchase individual health insurance coverage. Options are available in both the general market (off-exchange) as well as the federally facilitated health care exchange known as the Marketplace.

Consumers are encouraged to contact a licensed insurance agent to assist in evaluating their health care coverage. An agent's knowledge and understanding of the health insurance market in our state can help consumers make informed decisions during open enrollment, allowing them to find the best plan to meet their needs.

Agents can carefully review the current plan benefits, explain any policy or premium updates for 2017, and help determine any change in expected health care needs for the next year.

The 2017 open enrollment period runs through Jan. 31, 2017.

continued next page



October is National Cyber Security Awareness Month

October is National Cyber Security Awareness Month. This is an annual campaign by the U.S. Department of Homeland Security (DHS) to increase awareness about cybersecurity. DHS's [Stop.Think.Connect](#) campaign offers helpful tips on [social media use](#), [cyber safety when traveling](#), [using public WiFi](#), [identity theft](#), [protecting online privacy](#) and much more.

The National Association of Insurance Commissioners (NAIC) also offers information on understanding cyber risk and how to secure your online data in the [cybersecurity section](#) of their website at [naic.org](#).

<http://dlr.sd.gov/insurance>

2017 Health Care Open Enrollment Starts Nov. 1, Continued

Recent announcements made by South Dakota's domestic carriers will impact the individual health care market in our state. Major changes include:

- Sanford Health doctors and hospitals may no longer participate in Avera Health Plans network.*
- Sanford Health doctors and hospitals may no longer participate in the Dakotacare network.*
- Avera Health hospitals and doctors may no longer be in the Sanford Health Plan network.*
- Wellmark will discontinue offering individual ACA plans.
- Dakotacare will discontinue offering individual ACA plans.

*In some instances, provider contractual arrangements with the network have been maintained. Questions regarding whether a provider is participating in a network and in what capacity should be directed to the provider or carrier.

It is extremely important for consumers to recognize if or how these changes will affect their current coverage and benefits. The changes announced by these carriers are effective Jan. 1, 2017.

Things that should be considered when examining available coverage options include:

- Evaluating a health insurance plan's terms and benefits;
- Reviewing the provider network;
- Assisting with distinguishing which providers, hospitals and other facilities are considered in-network; and
- Identifying the potential for increased out of pocket costs if their existing provider is not considered in-network by the health insurance plan of their choice.

Wellmark and Dakotacare policyholders whose individual ACA coverage will cease on Jan. 1, 2017, need to select different health insurance to replace their current plan. Although this change in the availability of coverage will trigger a special enrollment period, policyholders should be aware of specific deadlines for action to avoid gaps in their health insurance coverage.

Contact information for health insurance carriers marketing plans on the exchange and in the general market in South Dakota can be found in the "Consumers" section of the Division's website at <http://dlr.sd.gov/insurance>.

Agents and brokers selling in the Marketplace can access information and resources through The Center for Consumer Information and Insurance Oversight (CCIIO) at <https://www.cms.gov/cciiio/programs-and-initiatives/health-insurance-marketplaces/a-b-resources.html>. Content includes background information, general resources, news, registration information and training.

Consumer Complaint Portal Available Online

Consumers have a convenient way to submit their complaints and concerns to the Division. The consumer portal allows consumers to enter a complaint and submit any supporting documentation electronically.

Some of the benefits of the consumer portal include:

- Complaint information completed and submitted online – no postage required
- Direct receipt by DOI – no delay in delivery
- Ability to upload additional documents and images
- Automatic file number for future reference
- Verification that your information has been received
- History of complaint files submitted

The consumer portal is accessible through the Division’s website at <http://www.dlr.sd.gov/insurance/> by selecting the “File a complaint” link. First-time users will be asked to create an account by providing basic contact information and setting up a password. Once an account has been created, consumers can submit their complaints through the portal.

CMS Releases Effectuated Enrollment Snapshot for First Half of 2016

The Centers for Medicare and Medicaid Services (CMS) has released the effectuated enrollment snapshot for the first half of 2016. Previously issued quarterly, CMS announced they will now report effectuated enrollment data semiannually. The data is based on the average number of effectuated enrollments and disenrollments over the relevant time period. The CMS press release is available [here](#).

Resources available for Agents and Brokers in the Health Insurance Marketplace

Agents and brokers wanting to sell in the Federally Facilitated Exchange (Marketplace) can access information and resources through The Center for Consumer Information and Insurance Oversight (CCIIO) at <https://www.cms.gov/ccio/programs-and-initiatives/health-insurance-marketplaces/a-b-resources.html>. Content includes background information, general resources, news, registration information and training options.

2017 Legislative Session

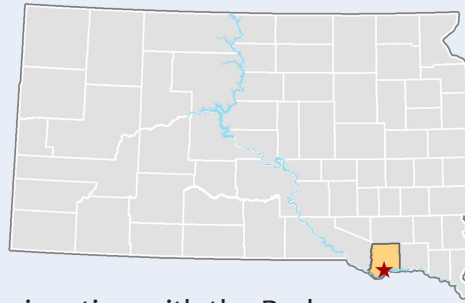
The division is currently preparing for the 2017 Legislative Session officially slated to begin at noon on Jan. 10, 2017. If you wish to discuss potential legislative changes with the division prior to the legislative session, please contact our office at 605.773.3563 or by email at insurance@state.sd.us.

DOI Staff in Springfield after Storm

Division staff traveled to Springfield, South Dakota, to assist residents impacted by the Sept. 5 storm with any insurance questions or claim filing issues.

The storm included straight line winds over 100 mph and left many residents in the area with damaged or destroyed property.

Property and Casualty Analysts Patsy Mehlhaff and Rich Schlaak represented DOI as part of the Office of Emergency Management (OEM) disaster recovery support response. Their time at the multi-area resource center established in conjunction with the Red Cross allowed them to provide information regarding insurance coverage and claims procedures as well as offer advice on working with their agent and their insurance company.



Notice of Public Hearing to Adopt Rules

A public hearing to adopt rules was held on Oct. 24, 2016, in the West River Conference Room of the Division of Insurance office located at 124 South Euclid Ave., 2nd Floor.

The reason for adopting the rule is to revise the reserving requirements for insurers. The new reserving method is Principle-Based Reserving (PBR). The effect of the proposed rule change is to adopt the NAIC Valuation Manual that will be used to determine the PBR requirements for insurers.

The public hearing notice and proposed rules are available online at http://dlr.sd.gov/insurance/legal/public_hearings.aspx or can be requested from the Division at 605.773.3563.

Recent Administrative Rule Changes/Updates & Bulletins

Division Bulletins

[16-05](#) Dissolution and Wind-down of NIMA

[16-06](#) Gramm Leach Bliley Act Annual Privacy Notices