

PROPOSED REGULATION OF THE COMMISSIONER OF INSURANCE

LCB File No. R180-12

June 21, 2012

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: NRS 679B.130, 695C.275

A REGULATION amending provisions related to copayments and coinsurance limitations for Health Maintenance Organizations.

Section 1. NAC 695C.215 is hereby amended to read as follows:

1. An organization may establish schedules ~~[for nominal copayments]~~ *of cost sharing* to be made by an enrollee to a provider. ~~[A copayment]~~ *The cost sharing* may be not more than 50 percent of the total cost of providing any single service *or item* to an enrollee ~~[or, for a health maintenance organization, in the aggregate, not more than 20 percent of the total cost of providing all of the basic health care services described in NAC 695C.170].~~

2. ~~[An organization shall not impose additional copayments against an enrollee in a calendar year if the copayments actually paid in that calendar year are 200 percent or more of the total annual premium the enrollee would pay if he or she were enrolled under a health care plan, offered by the organization, which had no copayment. The organization shall submit to the Division copies of the procedure it uses to notify an enrollee and his or her primary physician when the costs of the enrollee exceed that limit.]~~

~~[3.]~~ The amount of ~~[each copayment]~~ *the cost sharing* listed in the schedule given to the enrollee and submitted to the Division for approval ~~[must]~~ *may* be stated in dollars ~~[and must not be expressed]~~ *or* as a percentage of the cost of the service or the item supplied.

~~[4. With each filing of a schedule of copayment, the organization shall submit a:~~

- ~~—(a) Certificate, signed by an officer of the organization, stating that the schedule meets the requirements of this section; and~~
- ~~—(b) Copy of the calculations demonstrating that the schedule meets those requirements.~~

~~— 5. If the Division fails to notify the organization of the denial of the schedule within 30 days after it has been filed, the schedule shall be deemed to be approved as submitted by the organization.]~~