

**INSURANCE**

**DEPARTMENT OF BANKING AND INSURANCE**

**INDIVIDUAL HEALTH COVERAGE PROGRAM BOARD**

**Individual Health Coverage Program**

**Individual Health Benefits Plans**

**Adopted Amendments: N.J.A.C. 11:20-1 and 24 and N.J.A.C. 11:20 Appendix Exhibits A and B.**

Authorized By: New Jersey Individual Health Coverage Program, Ellen DeRosa, Executive Director

Authority: N.J.S.A. 17B:27A-17 et seq.

Proposed: October 17, 2014

Adopted: November 12, 2014 by the New Jersey Individual Health Coverage Program Board, Ellen DeRosa, Executive Director

Filed: November 17, 2014 as R. 2014 d. \_\_\_\_ **without change.**

Effective Date: November 17, 2014

Operative Date: January 1, 2015.

Expiration Date:

Summary of Hearing Officer Recommendations and Agency Responses:

The New Jersey Individual Health Coverage Program Board (IHC Board) held a hearing on Tuesday October 29, 2014 at 9:00 A.M. at the Department of Banking and Insurance, 11<sup>th</sup> floor Conference Room, 20 West State Street, Trenton, New Jersey to receive testimony with respect to the standard health benefits plans, set forth in Exhibits A and B. Ellen DeRosa, Executive Director of the IHC Board, served as hearing officer.

No persons attended the hearing and thus no testimony was provided during the hearing. The hearing officer made no recommendations regarding the proposed amendments. The hearing record may be reviewed by contacting Ellen DeRosa, Executive Director, New Jersey Individual Health Coverage Program Board, P.O. Box 325, Trenton, NJ 08625-0325.

### **Summary of Public Comments and Agency Responses**

No comments were received.

### **Agency-Initiated Changes**

The IHC Board is making no changes on adoption.

### **Federal Standards Statement**

State agencies that propose to adopt or amend State rules that exceed Federal standards regarding the same subject matter are required to include in the rulemaking document a Federal standards analysis. These adopted amendments are subject to Federal requirements addressing certain standards for health insurance contracts in The Patient Protection and Affordable Care Act and specifically the standards governing Essential Health Benefits (EHB).

The adopted amendment to the coverage of mammography services continues to be within the EHB benchmark previously established for New Jersey for calendar years 2014 and 2015; the EHB benchmark includes coverage of screening and diagnostic mammography services consistent with Federal laws requiring coverage of services recommended by the United States Preventive Services Task Force and the comprehensive screening guidelines supported by the Health Resources and Services Administration of the U.S. Department of Health and Human Services (see, 42 U.S.C. 18022 and 42 U.S.C. 300gg-13, as well as 45 C.F.R. 147.130).

The adopted amendments satisfy the requirements of the federal Paul Wellstone and Pete Domenici Mental Health Parity Equity and Addiction Act of 2008 (MHPAEA), and the final regulations at 45 C.F.R. 146.136 and 45 C.F.R. 147.160, and do not exceed any of the requirements of this federal law. IHC Board does not believe the proposed amendments exceed the Federal standards. The amendments the Board proposes to the standard plans are required to implement the various provisions of PPACA and MHPAEA. Consequently, the IHC Board does not believe a Federal standards analysis is required.