



# Division of Insurance

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## DOI Office Has Moved

The South Dakota Division of Insurance office has relocated as of Sept. 2, 2014. Formerly located at 445 E. Capitol Ave., the new address for the division is 124 S. Euclid, 2nd Floor, Pierre, SD 57501. Although the address has changed, the office phone number remains the same at 605.773.3563. The office hours are 8 a.m. to 5 p.m. Monday through Friday.

## New Consumer Complaint Portal

The Division of Insurance is happy to announce consumers have a new way to submit their complaints to the division. The consumer portal is a convenient way for consumers to electronically provide their complaints.

Some of the benefits of the consumer portal include:

- No postage required
- Quicker review by our office
- Ability to upload documents and images
- Automatic file number for future reference
- Verification your information has been received
- Option for email correspondences
- Logged history of complaint files submitted

You can access the consumer portal through the division's website at <http://www.dlr.sd.gov/insurance/>. Then select the "File a complaint" link which will take you directly to the consumer portal. 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.

## South Dakota's Long-Term Care Partnership Program Offers Fall Educational Sessions

Need information on long-term care? South Dakota's Long-Term Care (LTC) Partnership Program offers educational sessions that provide information on long-term care, related costs, how to plan for LTC needs, what coverage may be available through Medicare and Medicaid and how the program can help you. Sessions are free and open to the public. Click [here](#) to find a fall education session in your area. More information on South Dakota's Long-Term Care Partnership Program is available at <http://ltcpartnership.sd.gov/>.

## 2015 Insurance Rates and Forms Review Complete

The South Dakota Department of Labor and Regulation, Division of Insurance (DOI) has completed its review of the rates and forms for those plans wishing to sell within the Federally Facilitated Exchange.

Three insurance carriers in South Dakota have now been certified by DOI and transferred to the federal government for review. Those plans include: Avera Health Plans, Sanford Health Plan and DAKOTACARE.

A listing of the average rates for plans sold in the Exchange can be found at [http://dlr.sd.gov/insurance/consumers/companies\\_licensed\\_health\\_insurance\\_exchange\\_2015.aspx](http://dlr.sd.gov/insurance/consumers/companies_licensed_health_insurance_exchange_2015.aspx).

In addition, DOI has completed its review for those plans wishing to sell outside of the Exchange. Those carriers offering plans in the individual market include: Avera Health Plans, Celtic Insurance Company, Sanford Health Plan, DAKOTACARE, Time Insurance Company and Wellmark. These plans can be found at [http://dlr.sd.gov/insurance/consumers/companies\\_licensed\\_general\\_market\\_2015.aspx](http://dlr.sd.gov/insurance/consumers/companies_licensed_general_market_2015.aspx).

## HHS Announces Auto-Enrollment Plans for Current Marketplace Consumers for 2015

On Sept. 2, 2014, the Centers for Medicare & Medicaid Services (CMS) announced it has finalized the policy for the auto-enrollment process for current Marketplace customers. The auto-enrollment process will give Marketplace consumers an easy way to ensure they are getting the best deal by allowing them to keep their current health insurance plan or shop plan options to find the one that best meets their needs. A consumer who is satisfied with his or her current plan and has not experienced significant changes in income or family situation can be auto-enrolled in the same plan for the upcoming year.

Notices from the Federally-facilitated Marketplace will be sent to consumers in the Marketplace explaining the auto-enrollment process, reviewing other plan options and qualifying for financial assistance. Insurance companies will also provide notice to consumers on their 2015 premiums.

As with existing open enrollment periods for employer-based coverage, consumers are strongly encouraged to use the open enrollment period as an opportunity to update their information and reevaluate their health coverage needs for the coming year. Consumers whose updated income information suggests they no longer qualify for a tax credit will still be auto-enrolled in their current plan, but without the financial assistance. State-based Marketplaces may take this approach as well, or propose an alternative.

You can read the CMS fact sheet [here](#).

The finalized rule is available [here](#).

### 2015 Open Enrollment Dates

The Federally Facilitated Marketplace (FFM) has changed the dates for the 2015 open enrollment period. Open enrollment runs from Nov. 15, 2014, to Feb. 15, 2015. Enrollment can be completed through the online marketplace, with an agent/broker, with a navigator or by calling the federal call center.

## CMS Agent Training Available

Agents and brokers wanting to sell in the Federally Facilitated Exchange (Marketplace) are required to complete the federal online training offered through the Center for Medicare and Medicaid Services (CMS).



CMS agent/broker federal training for the Federally Facilitated Marketplace (FFM) is available. All training will occur online. Agents and brokers may begin training immediately. All agents will be required to complete the online training and will be able to obtain an active FFM User ID by completing a federal identity verification process online (required in order to get commissions via Marketplace enrollment).

To take the training, please visit  
<http://Marketplace.MedicareLearningNetworkLMS.com>.

## Bulletin 14-05 – Independent Contractor Premium Collection

The South Dakota Division of Insurance recently issued Bulletin 14-05. This bulletin addresses companies charging bona fide independent contractors insurance premium for workers compensation coverage that they are not required to carry under South Dakota statute.

Specifically, it indicates companies **must** have an adequate process in place to determine whether individuals qualify as independent contractors, and they must provide written notice to insureds that the premium for independent contractors may be due if they fail to provide adequate documentation under the insurer’s process.

### Bulletins

- 14-03 Health Insurance Market
- 14-04 Audiology
- 14-05 Independent Contractors, Premium Collection

### Administrative Rule Changes (effective date – Sept. 17, 2014)

- 20:06:12, 20:06:19, 20:06:25, 20:06:26, 20:06:36 – update to sources referenced in rule
- 20:06:13 – update to appendix located within rule
- 20:06:42 – clarify the definition of eligible association

## Recent Administrative Rule Changes & Bulletins