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## **BULLETIN 20-27**

Date: June 16, 2020  
To: Insurers, Nonprofit Health Service Plans, Health Maintenance Organizations and Dental Plan Organizations (Carriers)  
Re: 2020 Network Access Plan Filing Instructions

### Health Benefit Plan Filings

The purpose of this bulletin is to remind insurance carriers and those entities that use provider panels for health benefit plans that the annual access plan filings are due by July 1, 2020. Code of Maryland Regulations (“COMAR”) 31.10.44.03 requires “each carrier subject to the chapter shall file an annual access plan with the Commissioner through the System for Electronic Rate and Form Filing (SERFF) on or before July 1 of each year.”

Instead of filing the annual access plan through SERFF, this year the Maryland Insurance Administration (“MIA”) is requesting that each entity file its network access plan through an encrypted email and send it to [networkadequacy.mia@maryland.gov](mailto:networkadequacy.mia@maryland.gov). As a reminder, please be sure to annotate all confidential information within the report.

Additionally, the MIA acknowledges that the impacts of the COVID-19 pandemic may have hindered the ability of carriers to conduct surveys of patients and providers to measure compliance with the appointment waiting time standards required by COMAR 31.10.44.05 during the period of time when the pandemic was at its peak. To the extent medical practices participating in a carrier’s provider network were affected by temporary closures, reduced hours of operation, and reduced administrative staffing levels during the pandemic, results of surveys seeking information after the pandemic was declared may not accurately reflect the availability of providers in the carrier’s network. Of course, the pandemic would not have affected a carrier’s ability to measure appointment waiting time standards for the first half of the reporting year. Furthermore, appointment waiting times may have been impacted by potentially offsetting positive and negative factors during the pandemic, including reduced availability of in-person appointments, decreased demand for non-urgent health care services, and expansion of telehealth services.

The MIA intends to take these issues into consideration when reviewing the 2020 access plan filings. All required network adequacy metrics should be included in the access plans filed on

July 1 based on the data that is available to the carrier at the time of reporting. If a carrier believes that any of the reported data is inaccurate or unreliable due to the impacts of the COVID-19 pandemic, the carrier should provide the following information in the access plan filing:

- Identification of the specific metrics that are affected
- A description of the deficiencies or limitations of the data available at the time of reporting, and how this was related to COVID-19
- Providing separate data for that portion of the reporting period prior to the declaration of the state of emergency in Maryland
- An explanation of the carrier's proposed plan to gather, analyze, and report updated data to accurately and reliably measure the adequacy of the carrier's network during the reporting year
- A commitment to provide the MIA with updated data by no later than September 1, 2020.

#### Dental Plan Filings

Carriers that issue or renew dental plans in Maryland and use a provider panel for a dental plan offered in Maryland should file the executive summary form described in COMAR 31.10.45.06 by October 1, 2020. The MIA is requesting that each entity file its dental plan executive summary form by email to [networkadequacy.mia@maryland.gov](mailto:networkadequacy.mia@maryland.gov). As a reminder, the executive summary form is not confidential information.

Questions about this Bulletin may be directed to Jason Stein, Compliance Program Analyst at 410-682-2389 or e-mail to [jason.stein@maryland.gov](mailto:jason.stein@maryland.gov).

KATHLEEN A. BIRRANE.  
Commissioner

By:

signature on original

David Cooney  
Associate Commissioner