

# STATE OF CONNECTICUT

## INSURANCE DEPARTMENT

-----X  
**In The Matter Of:** :  
**Bankers Life & Casualty Company** : **Docket No. LH 11-134**  
**Medicare Supplement Insurance** :  
 -----X

### ORDER

I, Anne Melissa Dowling, Deputy Commissioner of the State of Connecticut, having read the record, do hereby adopt the findings and recommendations of Danny K. Albert, Hearing Officer in the above matter and issue the following order, to wit:

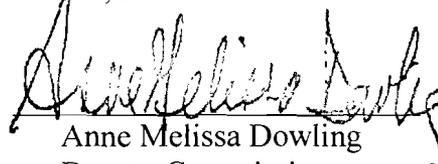
The Bankers Life and Casualty Company's rate increase request on its group Standardized Medicare supplement insurance policy forms GP-A11 and GP-A11-CT, is disapproved as submitted. However, the rates for the various plans under these forms are granted the following approval: Plan A 0.0%, Plan B 0.0%, Plan C 8.0%, Plan E 0.0% and Plan F 5.0%.

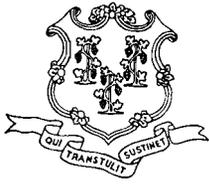
The company's proposal to maintain its existing rates on its Plans D and G, is approved as proposed. The rates on these two plans are to be kept at there current rate level with no change.

The rate changes granted herein are considered reasonable in relation to the policy form benefits, estimated claim costs and anticipated loss ratios the company expects to realize on these blocks of business.

Bankers Life and Casualty Company is directed to file revised rate schedules with the Insurance Department by Friday, December 16, 2011, reflective of the rates approved under this Order.

Dated at Hartford, Connecticut, this 22nd day of November, 2011.

  
 Anne Melissa Dowling  
 Deputy Commissioner



# STATE OF CONNECTICUT

## INSURANCE DEPARTMENT

-----X  
**In The Matter Of:** :  
**Bankers Life & Casualty Company** : **Docket No. LH 11-134**  
**Medicare Supplement Insurance** :  
 -----X

### PROPOSED FINAL DECISION

#### 1. INTRODUCTION

The Insurance Commissioner of the State of Connecticut is empowered to review rates charged for individual and group Medicare supplement policies sold to any resident of this State who is eligible for Medicare. The source for this regulatory authority is contained in Chapter 700c and Section 38a-495a of the Connecticut General Statutes.

After due notice a hearing was held at the Insurance Department in Hartford on October 25, 2011 to consider whether or not the rate increase requested by Bankers Life and Casualty Company on its group standardized Medicare supplement business should be approved.

No members from the general public attended the hearing.

No representative from Bankers Life and Casualty Company attended the hearing.

The hearing was conducted in accordance with the requirements of Section 38a-474, Connecticut General Statutes, the Uniform Administrative Procedures Act, Chapter 54 of the Connecticut General Statutes, and the Insurance Department Rules of Practice, Section 38a-8-1 et seq. of the Regulations of Connecticut State Agencies.

A Medicare supplement (or Medigap) policy is a private health insurance policy sold on an individual or group basis which provides benefits that are additional to the benefits provided by Medicare. For many years Medicare supplement policies have been highly regulated under both state and federal law to protect the interests of persons eligible for Medicare who depend on these policies to provide additional coverage for the costs of health care.

Effective December 1, 2005, Connecticut amended its program of standardized Medicare supplement policies in accordance with Section 38a-495a of the Connecticut General Statutes, and Sections 38a-495a-1 through 38a-495a-21 of the Regulations of Connecticut Agencies. This program, which conforms to federal requirements, provides that all insurers offering Medicare supplement policies for sale in the state must offer the basic "core" package of benefits known as Plan A. Insurers may also offer any one or more of eleven other plans (Plans B through L).

Effective January 1, 2006, in accordance with Section 38a-495c of the Connecticut General Statutes (as amended by Public Act 05-20) premiums for all Medicare supplement policies in the state must use community rating. Rates for Plans A through L must be computed without regard to age, gender, previous claims history or the medical condition of any person covered by a Medicare supplement policy or certificate.

The statute provides that coverage under Plan A through L may not be denied on the basis of age, gender, previous claims history or the medical condition of any covered person. Insurers may exclude benefits for losses incurred within six months from the effective date of coverage based on a pre-existing condition.

Effective October 1, 1998, carriers that offer Plan B or Plan C must make these plans as well as Plan A, available to all persons eligible for Medicare by reason of disability.

Insurers must also make the necessary arrangements to receive notice of all claims paid by Medicare for their insureds so that supplemental benefits can be computed and paid without requiring insureds to file claim forms for such benefits. This process of direct notice and automatic claims payment is commonly referred to as “piggybacking” or “crossover”.

Sections 38a-495 and 38a-522 of the Connecticut General Statutes, and Section 38a-495a-10 of the Regulations of Connecticut Agencies, state that individual and group Medicare supplement policies must have anticipated loss ratios of 65% and 75%, respectively. Under Sections 38a-495-7 and 38a-495a-10 of the Regulations of Connecticut Agencies, filings for rate increases must demonstrate that actual and expected losses in relation to premiums meet these standards, and anticipated loss ratios for the entire future period for which the requested premiums are calculated to provide coverage must be expected to equal or exceed the appropriate loss ratio standard.

Section 38a-473 of the Connecticut General Statutes provides that no insurer may incorporate in its rates for Medicare supplement policies factors for expenses that exceed 150% of the average expense ratio for that insurer’s entire written premium for all lines of health insurance for the previous calendar year.

## II. FINDING OF FACT

After reviewing the exhibits entered into the record of this proceeding, the testimony of the witnesses, and utilizing the experience, technical competence and specialized knowledge of the Insurance Department, the undersigned makes the following findings of fact:

1. Bankers Life and Casualty submitted rate increase proposals for the following Medicare supplement policy forms:

Group Standardized Policy Forms GP-A11 and GP-A11-CT

2. These proposed rates are expected to satisfy the Connecticut regulatory loss ratio requirement of 75% for group policy forms.
3. The proposed rates are intended to be effective through year-end 2012.

4. Bankers certified that their expense factors are in compliance with Section 38a-473, C.G.S..
5. The company is complying with subsection (e) of section 38a-495c, C.G.S., relative to the automatic claim-processing requirement (crossover/piggybacking).

Group Standardized Forms GP-A11 and GP-A11-CT

1. Bankers Life and Casualty has requested the following rate increases for these forms:

<u>Plan</u>	<u>Rate Increase</u>
A	7.0%
B	7.5%
C	8.0%
E	3.5%
F	11.5%

Bankers' is also requesting no rate increase for Plans D and G.

2. The last rate increase approved for these forms ranged from 4.5% to 10.0%, effective 1/1/11.
3. The following are in-force counts on a nationwide basis as well as Connecticut specific as of 6/30/11 by plan:

<u>Plan</u>	<u>Connecticut</u>	<u>Nationwide</u>
A	1	178
B	6	328
C	1	5,666
D	68	2,000
E	92	1,207
F	18	5,947
G	17	2,434
Total	203	17,760

4. The 2008, 2009, 2010 and inception-to-date loss ratios for Connecticut, by plan, are as follows:

<u>Plan</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>Inception</u>
A	71.6%	116.1%	53.7%	68.7%
B	166.8%	45.2%	6.3%	141.8%
C	63.6%	76.4%	19.1%	95.8%
D	66.8%	62.5%	56.8%	84.6%
E	92.3%	59.8%	56.3%	78.7%
F	52.4%	77.8%	71.9%	85.0%
G	49.5%	60.3%	48.8%	75.1%
Total	79.1%	62.5%	56.8%	81.9%

5. The 2008, 2009, 2010 and inception-to-date loss ratios on a nationwide basis, by plan, are as follows:

<u>Plan</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>Inception</u>
A	68.5%	75.7%	83.6%	69.2%
B	70.3%	81.4%	71.1%	72.9%
C	79.8%	86.0%	88.8%	77.0%
D	73.3%	75.2%	73.1%	73.1%
E	74.0%	70.7%	74.3%	72.0%
F	78.1%	80.0%	82.1%	73.4%
G	75.6%	78.1%	75.7%	72.0%
Total	77.2%	80.3%	81.5%	74.3%

6. Rate increases are requested due to claim cost trend increases and benefit cost inflation.
7. These forms were marketed through Bankers Life & Casualty's licensed agents and brokers.
8. Bankers Life and Casualty's 2011 Medicare supplement rate filing proposal is in compliance with the requirements of regulation 38a-474 as it applies to the contents of the rate submission as well as the actuarial memorandum.

### III. RECOMMENDATION

#### Group Standardized Forms GP-A11 and GP-A11-CT

Below is a summary of proposed and recommended rate increases for these forms:

<u>Plan</u>	<u>Proposed</u>	<u>Recommended</u>
A	7.0%	0.0%
B	7.5%	0.0%
C	8.0%	8.0%
E	3.5%	0.0%
F	11.5%	5.0%

Recommend no increase for Plans D and G as requested.

For Plan C the rate change is reasonable in relationship to the benefits, estimated claim costs and the anticipated loss ratios the company expects to realize on this business. Plans A, B, E and F were reduced to reflect current experience on a nationwide basis and the 75% minimum loss ratio requirement for group Medicare supplement insurance.

Dated at Hartford, Connecticut, this 22<sup>nd</sup> day of November, 2011.

  
Danny K. Albert  
Hearing Officer