

STATE OF CONNECTICUT
INSURANCE DEPARTMENT

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In the Matter of:

THE PROPOSED RATE INCREASE
APPLICATION OF ANTHEM BLUE CROSS and
BLUE SHIELD

Docket No. LH10-159

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**Decision Regarding Motions for Continuance and requests for Additional
Information Filed by the Office of the Attorney General and the Office of the
Healthcare Advocate**

The Honorable Richard Blumenthal, Attorney General of the State of Connecticut, (“AG”) and the Office of Healthcare Advocate (“OHA”) have been designated intervenor status in the captioned matter.

At a prehearing conference on Monday, November 15, 2010, the following motions were filed: (1) The AG filed a Motion for Continuance and for Hearing Officer to Request Additional Information (“AG Motion”); and (2) the OHA filed a Request for Documents and Motion for Continuance (“OHA Motion”)(collectively the AG Motion and OHA Motion are “the Motions”). Anthem Health Plans, Inc. d/b/a Anthem Blue Cross and Blue Shield (“Applicant”) filed an objection to the Motions on Wednesday, November 16, 2010.

The proceeding in the captioned matter is a public hearing pursuant to Conn. Gen. Stat. §§ 38a-8 and 38a-481 to consider whether the medical and prescription drug premium rate increase filing (“Application”) dated November 1, 2010 by Applicant concerning premium rates for its Grandfathered Individual Direct Pay Plan Options (“Individual Products”) is excessive, inadequate or unfairly discriminatory pursuant to Conn. Gen. Stat §38a-481.

The AG Motion indicates it is making its request “so that the Department of Insurance can obtain information from the applicant that is both critical to its proper analysis of the application and necessary to ensure that the public is fully informed of the basis for the application prior to any opportunity to provide comment at a hearing.” The AG Motion goes into some detail in identifying what the AG contends is information that is missing and information the AG believes should be provided.

The OHA Motion requests a more limited list of documents and seeks a continuance for a “reasonable time” to review the documents.

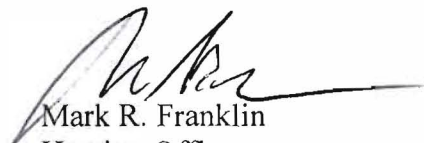
Of major concern to the undersigned is that health policies typically renew on January 1 of each year, and the Applicant has a practice of having its individual policyholders renew on January 1 after their first year. The policyholders affected by the Application and the insurance buying public generally needs certainty as to whether the Application will be granted or denied so that they can make informed decisions on whether to renew their policies or shop for replacement coverage. The uncertainty resulting from delay of the captioned proceeding would not be beneficial for such consumers .

The purpose of the captioned hearing in the captioned matter that is noticed for tomorrow, November 17, 2010, is to elicit information regarding the application. It is not merely to put items on the record, but for the Applicant to justify its Application; for Insurance Department staff to transparently question the Applicants and to challenge the assumptions of the Application; and for the intervenors to present evidence related to the scope of their intervention and to examine the Applicant related to the scope of their intervention. Thus, information referenced in the Motions may in fact be the subject of testimony at the hearing to the extent it is relevant.

In addition, the presiding officer at an Insurance Department has the authority before, during or after a hearing to order the production of additional exhibits and written testimony, Conn. Agencies Regs. §38a-8-40, and in practice routinely seeks such additional exhibits and testimony.

For the foregoing reasons, the Office of the Attorney General's Motion for Continuance and for Hearing Officer to Request Additional Information; and (2) the Office of Healthcare Advocate Request for Documents and Motion for Continuance; are denied.

Dated this 16th day of November, 2010.


Mark R. Franklin
Hearing Officer

CERTIFICATION

I hereby certify that a copy of the Decision regarding Decision Regarding Motions for Continuance and requests for Additional Information Filed by the Office of the Attorney General and the Office of the Healthcare Advocate was served on November 16, 2010 by electronic mail on:

John M. Russo, Esq.
Anthem Blue Cross and Blue Shield of Connecticut
370 Bassett Road
North Haven, CT 06473-9779
John.Russo@Anthem.com

Michael G. Durham, Esq.
Donahue, Durham & Noonan, P.C.
Concept Park, Suite 306
741 Boston Post Road
Guilford, CT 06437
mdurham@ddnctlaw.com

Vicki Veltri, Esq.
General Counsel
State of Connecticut Office of the Healthcare Advocate
P.O. Box 1543
Hartford, CT 06144
victoria.veltri@ct.gov

Richard Blumenthal, Esq.
Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06106
Richard.Blumenthal@ct.gov
Attorney.general@ct.gov


Richard F. Kehoe, Esq.
Special Counsel
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06106
Richard.Kehoe@ct.gov

Arnold I. Menchel, Esq.

Assistant Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06106
Arnold.Menchel@ct.gov

Thomas Ryan, Esq.
Assistant Attorney General
Office of the Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06106
Thomas.Ryan@ct.gov

N. Beth Cook, Esq.
Counsel
Connecticut Insurance Department
P.O. Box 816
Hartford, CT 06142-0816
Beth.Cook@ct.gov



Mark R. Franklin