



Advisory Memorandum

April 26, 2024

TO: All Insurers of Exchange Certified Stand-Alone Dental Plans (SADPs)

FROM: Life and Health Division

RE: 2025 Plan Year SADP Filing Information

The purpose of this memorandum is to notify all interested insurers of important filing information that is or will soon be available to assist individuals in preparing and submitting 2025 Plan Year exchange certified stand-alone dental (SADP) forms and rates to the North Carolina Department of Insurance (NCDOI) for review and approval. Insurers that will be seeking approval from NCDOI of SADP forms and rates that are subject to requirements of the Affordable Care Act and related state laws are encouraged to refer to this memo and the resources it identifies. Generally, this includes products intended to be sold and issued in North Carolina in 2025 in the individual or small group markets in Exchange-certified stand-alone dental plans (SADPs) ***whether sold on or off the exchange.***

Although NCDOI has not made any significant changes in the filing requirements from those in place in 2024, NCDOI is providing this updated information to facilitate the submission process and apprise insurers of important requirements and critical deadlines.

Insurers filing exchange certified SADPs to be sold on or off the FFM should pay close attention to the information in the *2025 Letter to Issuers in the Federally-Facilitated Marketplaces*, from the Center for Consumer Information and Insurance Oversight (CCIIO). Note, *Chapter 4: Stand-Alone Dental Plans: 2025 Approach*. This letter can be accessed at this link:

<https://www.ghpcertification.cms.gov/s/Published%20Guidance%20and%20Regulations>

I. General Filing Requirements

This Advisory Memorandum is intended to be a resource to assist insurers in making a 2025 plan year SADP regulatory filing in North Carolina, and will be updated and made available on NCDOI's website at the following link:

<https://www.ncdoi.gov/insurance-industry/form-and-rate-filings/life-and-health/health-insurance-affordable-care-act-aca/filing-information-insurers>

As the above information is updated, insurers will be notified of the updates through emails or posts to the NCDOI webpage. Insurers should check back for updates regularly.

Insurers should note that NC is a full Federally Facilitated Marketplace (FFM) and therefore all QHP certification requirements are confirmed by the FFM. This further means that insurers wishing to have a QHP certification for an SADP must submit the federal QHP application through the federal systems as required. *NCDOI will not make any decisions relating to a plan being certified as a QHP.*

II. Timelines

NCDOI will not set any specific due date for SADPs regulatory filings. NCDOI will follow the federal guidelines for completion of the exchange certified SADP reviews (**August 14, 2024**), and insurers should time their submission of forms and rates to give NCDOI **at least 90 days to complete our reviews**. Please refer to Section III. for additional information.

III. Stand Alone Dental Plans Seeking Exchange Certification

Insurers of SADPs do NOT have to submit a Plan Binder nor any federal templates to NCDOI.

NCDOI will not require submission of Plan Binders for SADPs seeking certification for use on the FFM or who are seeking exchange certification for use outside the exchange. Insurers should follow guidance issued by the FFM to complete and submit a SADP application through HIOS to certify plans for sale on and/or off the exchange in North Carolina.

Insurers must still submit policy forms and rates SEPARATELY through the normal SERFF filing submission processes to the Life & Health Division for the Department's prior review/approval as required by state laws. Please cross reference the SERFF tracking numbers of the associated form filing on the respective rate filing, and vice versa.

Insurers should submit the forms and rate filings SEPARATELY in close conjunction to their submission to HIOS. Insurers should in their SERFF form and rate submission indicate their intent to be a stand-alone dental plan on the exchange and/or their intent to seek exchange certification for off the exchange business, and/or indicate that the plans contained in the filing are intended to provide the pediatric dental essential health benefit.

Insurers should ONLY use the following SERFF TOI/Sub-TOIs for these submissions:

<i>TOI</i>	<i>Sub-TOI</i>
<i>H10G Group Health – Dental</i>	<i>H10G.000 Health – Dental</i>
<i>H10I Individual Health – Dental</i>	<i>H10I.000 Health – Dental</i>

NCDOI will not set any specific due date for SADPs regulatory filings but asks insurers to ***give NCDOI 90 days to complete our reviews.*** NCDOI will follow the federal guidelines for the review timeline for certified SADPs and therefore expects to have exchange certified SADP reviews completed by **August 14, 2024.**

For Insurers with Previous Certified SADP Form Approvals:

If the insurer has received previous approval of forms which were identified for use with certified SADPs, and the insurer does not intend to make any changes to the previously approved forms for the 2024 plan year, then the insurer only needs to submit the 2025 plan year rates as noted below. *See pages 5 and 6 of this document - SERFF – NCDOI REQUIRED FIELDS FOR ACA PY25 SADP RATE FILINGS for guidance on SERFF field input and required document submission.*

2025 Rate Filings for INDIVIDUAL business for Insurers with Previous Certified SADP Rate Approvals:

Per NCGS §58-51-95(h), all insurers of individual accident and health insurance must annually submit a rate filing which demonstrates compliance with the statute. Additionally, if an insurer is changing rates on individual accident and health business, the insurer must seek the Department’s prior approval per NCGS §58-51-95(f). Therefore, ***all individual dental SADP insurers who received DOI approval of individual certified SADPs for 2024 must submit a rate filing for the 2025 plan year that either demonstrates compliance with NCGS §58-51-95(h) or demonstrates the need for a change in the rates under NCGS §58-51-95(f).*** Such rate filings must follow the requirements of T11 NCAC 16.0205 and include an actuarial memorandum/certification and other specified data. The insurer should use the TOIs noted above and indicate that the submission is related to SADPs seeking certification or recertification and should reference the form filing(s) under which the Department approved the forms associated with the rates and where the forms had

been accepted for use with SADPs. The filing should also indicate if certification is being sought for on-exchange, off- exchange, or both.

Additionally, NCDOI will require that the issuers indicate the AV level being utilized and an actuarial certification of the AV level.

2025 Rate Filings for GROUP business for Insurers with Previous Certified SADP Rate

Approvals:

In order to allow NCDOI to track insurers intending to participate on the FFM and to verify their compliance with the pediatric dental EHB provision, ***NCDOI requests that group SADP insurers who received approval of Certified SADPs for 2024, and who are seeking new certifications or re-certifications for 2025, submit their 2025 rate filing for NCDOI's records.*** The submission should use the TOIs noted above, include the rates (whether changed from 2024 or not), and the actuarial memorandum with proper certifications. Insurers should indicate that the submission is related to SADPs seeking certification or recertification and should reference the form filing(s) under which the Department approved the forms associated with the rates and where the forms had been accepted for use with SADPs. The filing should also indicate if certification is being sought for on-exchange, off-exchange, or both.

Note, if the insurer of the group SADP is authorized under Article 67 of Chapter 58 of the North Carolina General Statutes, then the insurer must receive prior approval of its rates on an annual basis per NCGS §58-67-50.

If the insurer has a provider network associated with the SADP such that it intends to provide a Dental PPO plan, then the insurer must seek NCDOI approval of its PPO operations, including review of internal processes and provider contracts. Refer to the following for information on such filings:

<https://www.ncdoi.gov/licensees/life-and-health-licensing/ppo-licensure-and-modification-filings>

IV. NCDOI Contact Information

Questions about this memo may be directed to Pat Lee at (919) 807-6066 or by email to L&Hinbox@ncdoi.gov.

SERFF – NCDOI REQUIRED FIELDS FOR ACA PY25 SADP RATE FILINGS

TOI: One of the following:

H10G Group Health – Dental

H10I Individual Health – Dental

FILING TYPE: One of the following:

Rate (New Issue Only) – NEW PLAN FILING FOR 2025

Rate Revision (LH) and/or Rate Certification (Annual)

GENERAL INFORMATION TAB:

- Effective Date Requested: *01/01/2025*
- Requested Filing Mode: ** Review & Approval*
- Submission Type: *New Submission*
- Overall Rate Impact: ***DO NOT COMPLETE – THIS FIELD SHOULD BE BLANK FOR ACA SADP RATE FILINGS***
- Market Type: ** Individual/Group*
- Group Market Size: ** Individual/Small*
- Corresponding Filing Tracking Number: *Corresponding FORM filing*

RATE/RULE SCHEDULE TAB:

- Filing Method: *SERFF*
- Rate Change Type: *Increase, Decrease, Neutral*
- Overall Percentage of Last Rate Revision: *Last rate filing corresponding to the ‘Affected Form Numbers’ field*
- Effective Date of Last Rate Revision: *Last rate filing corresponding to the ‘Affected Form Numbers’ field*
- Filing Method of Last Filing: *SERFF*
- SERFF Tracking Number of Last Filing: *Last rate filing corresponding to the ‘Affected Form Numbers’ field*
- Company Rate Information: *ALL FIELDS*
- Document Name: ** Applicable Document Name*
- Affected Form Numbers: *Each number must be listed separately. DO NOT SEPARATE WITH COMMAS.*
- Rate Action: ** ‘New’ or ‘Revised’ (Only select ‘New’ when a new plan to ACA market)*
- Rate Action Information:
 - Previous Filing #: *Should match the ‘SERFF Tracking Number of Last Filing’ entry*
 - Percent Rate Change Request: *Should match the ‘Overall % Rate Impact’ & ‘Overall % Indicated Change’ fields*
- Attach Document: *Rate Documentation*

SUPPORTING DOCUMENTATION TAB:

- All supporting documents must be attached in "SEPARATE" Categories. PLEASE DO NOT PLACE DOCUMENTS FOR REVIEW UNDER 'SUBMISSION REQUIREMENTS LIFE AND HEALTH'. A comment that this requirement is 'Acknowledged' is sufficient.
- Actuarial Values (AV) documentation
- Submission date and HIOS Marketing ID relating to the PY 2025 QHP submission in HIOS
- Standard Component IDs listing
- Statement if plan(s) marketed on or off Exchange or both (**can include in Filing Description on General Information tab**)
- Pediatric Attestation form (**only required if no new forms are filed for PY 2025**)
- Plan Crosswalk (**only required if no new forms are filed for PY 2025**)