

DETERMINATION OF FINAL PAYMENT FOR COVERED VACCINE:  
NOTICE OF PROPOSED REGULATIONS CHANGES  
DIVISION OF INSURANCE

BRIEF DESCRIPTION

The Division of Insurance proposes to adopt regulation changes in Title 3 of the Alaska Administrative Code relating to the determination of final payment for a vaccine covered by an insurance policy that is an "included vaccine" as defined under AS 18.09.900 and purchased by a provider instead of obtained from the state under the statewide immunization program established under AS 18.09.200.

The Division of Insurance proposes to adopt regulation changes in Title 3 of the Alaska Administrative Code, dealing with the determination of final payment for a vaccine covered by an insurance policy that is an "included vaccine" as defined under AS 18.09.900 and purchased by a provider instead of obtained from the state under the statewide immunization program established under AS 18.09.200.

3 AAC 26.110(a) is repealed and readopted to include a new paragraph to require that a person that provides coverage in this state for health care services or supplies on an expense incurred basis for which benefits are based on the amount that is less than the actual amount billed for health care services or supplies shall, for a vaccine covered by an insurance policy that is an "included vaccine" as defined under AS 18.09.900 and purchased by a provider instead of obtained from the state under the statewide immunization program established under AS 18.09.200, determine the final payment for the covered vaccine at an amount equal to or greater than the cost of the state purchased vaccine under the statewide immunization program.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed action, by submitting written comments to the Division of Insurance; Attention: Katie Campbell, P.O. Box 110805, Juneau, AK 99811-0805 or by e-mail to [katie.campbell@alaska.gov](mailto:katie.campbell@alaska.gov); or by fax to (907) 465-3422. Comments may also be submitted through the Alaska Online Public Notice System at <http://aws.state.ak.us/OnlinePublicNotices>. All comments must be received **no later than 5:00 p.m. on June 3, 2015**.

Oral or written comments also may be submitted at a hearing to be held on **May 20, 2015 in Room 515, Frontier Building, 3601 C Street, Anchorage, Alaska**. The hearing will be held from **11:00 a.m. to 12:30 p.m.**, and may be extended to accommodate those present before **12:30 p.m.** who may not have had the opportunity to comment. If you are unable to attend the meeting in person and would like to participate by teleconference, please call **(760) 569-7171** and enter the access code **103063718** followed by # (pound sign). Note that the Division of Insurance hearing will be held in conjunction with a Department of Health and Social Services hearing relating to that agency's proposed regulations on establishing a statewide immunization program.

You may submit written questions relevant to the Division of Insurance proposed action to Chip Wagoner, Regulations Specialist II, Division of Insurance, P.O. Box 110805, Juneau, AK 99811-0805 or by e-mail to [chip.wagoner@alaska.gov](mailto:chip.wagoner@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Division will aggregate its response to substantially similar questions and make the questions and response available on the Division's website at <http://commerce.alaska.gov/dnn/ins/HearingsMeetingsandNotices.aspx> or on the Alaska Online Public Notice System. The Division may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in the process, please contact **Rosalyn Singleton at (907) 269-8000** no later than **May 11, 2015** to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, please go to <http://commerce.alaska.gov/dnn/ins/HearingsMeetingsandNotices.aspx>, or contact the Division of Insurance at (907) 269-7900 in Anchorage or (907) 465-2515 in Juneau.

After the public comment period ends, the Division of Insurance will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments and questions received are public records and are subject to public inspection.

**Statutory Authority:** AS 21.06.090; AS 21.36.125; AS 21.42.205

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 21.42.205

**Fiscal Information:** This action is not expected to require an increased appropriation.

DATE: April 24, 2015.



Lori Wing-Heier  
Director of Insurance

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Division of Insurance, Department of Commerce, Community, and Economic Development
2. General subject of regulation: 3 AAC 26.110(a) is repealed and readopted to add a paragraph relating to the determination of final payment for a vaccine covered by an insurance policy that is an "included vaccine" as defined under AS 18.09.900 and purchased by a provider instead of obtained from the state under the statewide immunization program established under AS 18.09.200
3. Citation of regulation (may be grouped): 3 AAC 26.110
4. Department of Law file number, if any: \_\_\_\_\_
5. Reason for the proposed action:
  - Compliance with federal law or action (identify): \_\_\_\_\_
  - Compliance with new or changed state statute
  - Compliance with Federal or state court decision (identify) \_\_\_\_\_
  - Development of program standards
  - \_\_\_\_\_
6. Appropriation/Allocation: \_\_\_\_\_
7. Estimated annual costs in the aggregate to comply with the proposed action to:
  - Private Persons: None are anticipated
  - Other State Agencies: None are anticipated
  - Municipalities: None are anticipated
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

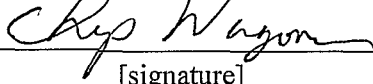
	Initial Year FY <u>16</u>	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ <u>0</u>
Capital Cost	\$ <u>0</u>	\$ <u>0</u>
1002 Federal receipts	\$ <u>0</u>	\$ <u>0</u>
1003 General fund match	\$ <u>0</u>	\$ <u>0</u>
1004 General fund	\$ <u>0</u>	\$ <u>0</u>
1005 General fund/ program	\$ <u>0</u>	\$ <u>0</u>
1037 General fund/ mental health	\$ <u>0</u>	\$ <u>0</u>
Other	\$ <u>0</u>	\$ <u>0</u>

9. The name of the contact person for the regulations:

Name: Katie Campbell  
Title: Life and Health Actuary  
Address: Division of Insurance  
P.O. Box 110805, Juneau, AK 99811-0805

Telephone: (907) 465-4607  
E-mail address katie.campbell@alaska.gov

10. The origin of the proposed action:  
 Staff of state agency  
 Federal government  
 General public  
 Petition for regulation change  
 Other (identify) Coordination with Department of Health and Social Services and that agency's proposed regulations establishing a statewide immunization program under AS 18.09.200

11. Date: 4/24/15 Prepared by:   
[signature]

Name (printed): Chip Wagoner  
Title (printed): Regulations Specialist II  
Telephone: (907) 465-8486