



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Health
<b>Virginia Administrative Code (VAC) citation</b>	12VAC5-408
<b>Regulation title</b>	Rules and Regulations for the Certification of Quality Assurance of Managed Care Health Insurance Plan Licensees
<b>Action title</b>	Updates section 10 (Definitions) of Chapter 408 affected by the passage of federal health care reform
<b>Final agency action date</b>	8/17/11
<b>Document preparation date</b>	5/25/2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

House Bill 1958 (2011) conforms inconsistent and conflicting requirements of Virginia's health insurance laws to corresponding provisions of the federal Patient Protection and Affordable Care Act that became law in March 2010. Amendments to section 10 Chapter 408 are necessary to assure that the regulations pertaining to certification of managed care health insurance providers do not conflict with federal or state law or the regulations of the Bureau of Insurance of the State Corporation Commission.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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Pursuant to §32.1-20 of the Code of Virginia, the State Health Commissioner approved this action on August 17, 2011 on behalf of the State Board of Health while the Board of Health was not in session.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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There is no direct impact on the family.