

# STATE OF NEBRASKA

## DEPARTMENT OF INSURANCE

**Ann M. Frohman**  
Director



**Dave Heineman**  
Governor

### N-O-T-I-C-E

The Director of the Department of Insurance has scheduled a public hearing as required by Neb. Rev. Stat. §84-901 to §84-909 for the proposed amendments of Title 210, Nebraska Administrative Code, Chapter 86, REGULATION TO IMPLEMENT THE AMERICAN RECOVERY AND REINVESTMENT ACT FOR PURPOSES OF CONTINUATION OF COVERAGE FOR SMALL GROUP INSURANCE. The purpose of the proposed amendment is to eliminate the sunset provision for this regulation, which is currently set at December 31, 2009, because Congress has extended the subsidy provision for continuation plans under the American Recovery and Reinvestment Act of 2009 (ARRA) to February 28, 2010. There may be a fiscal impact that could decrease costs to the insureds. A copy of the [Fiscal Impact Statement](#) is available at the Department of Insurance or on the Department's website at [www.doi.ne.gov](http://www.doi.ne.gov).

[Copies of proposed amended Chapter 86](#) are available upon request from the Department of Insurance, 941 O Street, Suite 400, Lincoln, NE 68508. Requested copies of proposed amended Chapter 86 are available at a cost of \$1.50 each. Copies of proposed amended Chapter 86 are available for inspection at the aforementioned address, as well as the Office of the Secretary of State, State Capitol Building, Room 2300, Lincoln, NE 68509, and through the Department's website at [www.doi.ne.gov](http://www.doi.ne.gov). All persons interested in presenting oral or written views on the proposed amendments of Chapter 86 will be granted an opportunity at a hearing to be held before the Director of Insurance, State of Nebraska, beginning at 2:00 p.m., on the 28th day of December, 2009, and will continue until concluded. Said hearing will be held in the 5<sup>th</sup> Floor Conference Room of the Terminal Building at 941 O Street, Lincoln, NE 68508. Interested persons may submit written comments to the Department before the hearing date, which will be entered into the record.

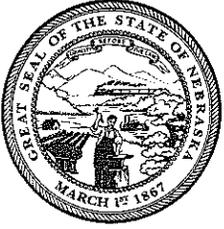
Reasonable accommodations will be provided to persons with disabilities upon advanced request. The hearing will be transcribed at the request of any party with the expense of the transcription charged to the requesting party.

All persons interested therein may appear at said time and be heard in reference thereto.

Dated this 23<sup>rd</sup> day of December, 2009.

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Ann M. Frohman  
Director



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

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### WAIVER OF NOTICE OF PUBLIC HEARING

Pursuant to the provisions of Nebraska Revised Statute §84-907, I hereby grant the written request of the Nebraska Department of Insurance, dated December 22, 2009, for waiver of the 30-day Notice of Public Hearing requirements found in the above-referenced section of the Nebraska Administrative Procedures Act. The waiver of the 30-day Notice of Public Hearing is being granted with respect to the proposed amendment to rules and regulations of the Nebraska Department of Insurance set forth in Title 210, Nebraska Administrative Code, Chapter 86.

A good and sufficient cause exists for granting this requested waiver in order to allow the Nebraska Department of Insurance to amend Chapter 86 in accordance with a federal government amendment to the American Recovery and Reinvestment Act of 2009 (ARRA) in which the COBRA subsidy under ARRA has been extended from December 31, 2009 to February 28, 2010. Nebraska's small group insurance continuation laws and rules are affected by this change. ARRA provides for a premium subsidy of 65% for individuals who have been involuntarily terminated from employment and want to continue their health insurance coverage. Therefore, it is in the public's interest that a waiver of the 30-day public hearing notice requirement be granted in order for these individuals to continue to receive the subsidy.

The waiver of the 30-day Notice of Public Hearing requirement is hereby granted this 23rd day of December, 2009.

  
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Dave Heineman, Governor