

**From:** Cohen, Gary M. (CMS/CCIIO)  
**Sent:** Friday, December 09, 2011 6:01 PM  
**To:** EMathies@idoi.IN.gov  
**Cc:** Larsen, Steven B. (CMS/CCIIO); Jimenez, Carol S. (CMS/CCIIO); Pavlus, Christina A. (CMS/CCIIO)

Ms. Mathies--

This office has received your email dated December 9, 2011, stating that Indiana seeks reconsideration of our denial of the State's request for an adjustment to the Medical Loss Ratio standard for the individual insurance market. Your email requests that we arrange a telephone call so that you can speak with us about your issues with our decision.

The Interim Final Rule on Medical Loss Ratio provides, at 45 CFR 158.346(a), that a State's request for reconsideration "must be submitted in writing to the Secretary within 10 days of her decision to deny the State's request for an adjustment, and may include any additional information in support of its request." The regulation goes on to state that the "Secretary will issue her determination on a State's request for reconsideration within 20 days of receiving the reconsideration request." 45 CFR 158.346(b).

Pursuant to the regulation, any information you wish to submit for our consideration in connection with your request for reconsideration must be submitted in writing. Among the reasons for this is our commitment to the transparency of this process. As you know, everything which States, including Indiana, have submitted to us in connection with requests for adjustment, and all of our communications with the States, have been posted on the CCIIO website. A verbal conversation with your office about your request for reconsideration would not allow us to inform the public about the bases for our decisions, as is required by the regulation and our policy.

Should you wish to submit additional information for us to consider in connection with your request for reconsideration, you must do so, in writing, on or before Friday, December 16, 2011, so that we will have adequate time to review the information during the time allowed by the regulation for the Secretary to make a decision on your request.

Please let me know if you have any questions regarding this matter.

Gary M Cohen  
Director, Oversight  
Center for Consumer Information and  
Insurance Oversight  
CMS/HHS