

State of Vermont
Department of Financial Regulation
89 Main Street
Montpelier, VT 05620-3101

For consumer assistance:
[Banking] 888-568-4547
[Insurance] 800-964-1784
[Securities] 877-550-3907
www.dfr.vermont.gov

July 7, 2020

Chair Kevin Mullin
Green Mountain Care Board
144 State Street
Montpelier, Vermont 05620

Re: Solvency Impact of “VT Exchange 2021 Filing” (SERFF# MVPH-132371260) of MVP Health Plan, Inc.

Dear Chair Mullin:

This opinion fulfills the Department of Financial Regulation’s (“DFR”) responsibility under 8 V.S.A. § 4062(a)(2)(B) regarding MVP Health Plan, Inc. (“MVPHP”) and its recent proposed rate filing: “**VT Exchange 2021 Filing.**”

Under 8 V.S.A. § 4062, DFR must provide to the Green Mountain Care Board (“GMCB”) an analysis and opinion on the impact of the filing as proposed on the solvency of MVPHP. The solvency of MVPHP as an entity and how a filing or rate may affect that solvency are two separate questions. This opinion first analyzes and provides DFR’s opinion on the solvency of MVPHP and then provides DFR’s opinion regarding the impact the filing could have on the solvency of MVPHP.

The predominant theme of this year’s solvency opinion is uncertainty.

The COVID-19 pandemic – together with the resulting mitigation measures ordered by the State – has already had profound effects on Vermont’s health-insurance marketplace. The more difficult task is understanding and quantifying both the short- and long-term impacts that COVID-19 will have in the months and years to come.

For example, the following areas of uncertainty are unresolved but will greatly impact MVPHP’s financial position: (1) the degree to which the medical services underutilized during the pandemic are deferred or permanently foregone; (2) how economic conditions brought on by the pandemic will impact Vermont citizens’ and businesses’ ability to afford health insurance premiums; and (3) ultimate direct and indirect costs of treating COVID-19 infected patients - including potential long-term health impacts.



Summary of Opinion

The proposed rate filed by MVPHP would not negatively impact its solvency and the company otherwise meets Vermont's financial licensing requirements for a foreign insurer.

Background

DFR considers the solvency of insurers to be the most fundamental aspect of consumer protection. Whether an insurer is solvent is more complex than simply determining whether at any given moment the insurer has more assets than liabilities. Rather, it is an intricate analysis of many factors to discern how close or far away from insolvency the insurer is, and in what direction it will move in the future.

The primary regulator for an insurance company is the insurance department for the state in which it is domiciled. Primary regulators have many tools at their disposal to monitor and ensure the solvency of their domestic companies, and other states in which that insurer does business rely heavily on the domicile state regulators to perform that function. Approximately 1,500 insurance companies, including MVPHP, have a license to do business in Vermont, but are domiciled in other states.

Although not the primary regulator, Vermont law still requires DFR to protect consumers by supervising MVPHP in a manner that assures its solvency, liquidity, stability, and efficiency.¹ MVPHP is domiciled in New York and DFR relies heavily on the financial analysis of the New York Department of Financial Services for a solvency determination. In addition, DFR requires MVPHP to meet certain solvency-based criteria to procure and maintain a license to do business in Vermont. DFR employs various analytic measures to ensure these criteria are met.

MVPHP Solvency Opinion

- DFR has been in communication with MVPHP's primary solvency regulator – the New York Department of Financial Services – and has not learned of any solvency concerns.
- Further, MVPHP currently meets Vermont's foreign insurer licensing requirements.
- Finally, in 2019, all of MVP Holding Company's operations in Vermont accounted for approximately 5.7 percent of its total premiums written. DFR has determined that MVPHP's Vermont operations pose little risk to its solvency. Nonetheless, adequacy of rates and contribution to surplus are necessary for all health insurers to maintain strength of capital that keeps pace with claims trends.

Impact of the Filing on Solvency

Based on the entity-wide assessment above and contingent upon GMCB actuary's finding that the proposed rate is not inadequate, DFR's opinion is that the proposed rate will not have a negative impact on MVPHP's solvency.

¹ 8 V.S.A. § 10.

All the best,

A handwritten signature in blue ink, appearing to read "M. Pieciak". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping underline.

Michael S. Pieciak
Commissioner