

STATE OF MAINE
DIRIGO HEALTH AGENCY

RE: DETERMINATION OF)	THE MAINE STATE CHAMBER
AGGREGATE MEASURABLE)	OF COMMERCE APPLICATION
COST SAVING FOR THE FIFTH)	TO INTERVENE
ASSESSMENT YEAR (2010))	

NOW COMES the Maine State Chamber of Commerce (the “Chamber”), by and through its attorneys, and, pursuant to the Notice of Pending Proceeding and Hearing dated March 20, 2009 (the “Notice”), and 5 M.R.S.A. §9054(1), requests, as a matter of right, full party intervenor status as set forth below:

The Chamber is a statewide business association that represents Maine businesses both large and small. The Chamber’s members include large businesses that provide group health coverage for their employees through self-funded plans, as well as businesses that provide employee health coverage through insured plans. The Chamber itself also has an insured health plan for its own employees.

The Notice states that the Board will be holding an adjudicatory hearing “to adopt a methodology for the determination of aggregate measurable cost savings, and, using that methodology, determine the amount of aggregate measurable cost savings for the fourth [sic] assessment year.” The determination of aggregate measurable cost savings serves as a justification for, and limitation on, an assessment levied against health insurance carriers, employee benefit excess insurance carriers and third-party administrators (“TPA’s”). This assessment is known as the “savings offset payment” amount (hereinafter “SOP”).

Although the SOP will be levied directly against health insurance carriers, TPA's, and employee excess benefit insurance carriers, it is Maine employers and their employees who will ultimately pay the SOP because premium rates for health insurance carriers and employee excess benefit insurance carriers include the SOP, and TPA administrative fees also include the SOP. As such, the aggregate measurable costs savings and resultant SOP will have tremendous impact on Maine's business community because the ability of Maine employers to offer health care coverage is already threatened by the high costs of health care and health insurance in Maine. Any increase in premium rates as a result of an inflated savings determination will serve to make health insurance even more unaffordable. Accordingly, due to the already high-cost of health care, and the impact of cost increases on the ability of Maine employers to offer health insurance, Maine employers have a direct and substantial interest in ensuring that aggregate measurable savings are accurately measured.

As explained above, every employer in Maine that provides health care coverage to its employees (whether self-funded or insured) will be substantially and directly affected by the determination of aggregate measurable cost savings. Furthermore, the Chamber was granted full intervention as a matter of right in the hearings to determine the aggregate measurable cost savings for the first, second, third and fourth assessment years. Therefore, the Chamber, both on behalf of its members and in its own right as an employer, respectfully requests that its Application to Intervene as a matter of right, with full party status, be granted.

Dated: May 19, 2009

Respectfully submitted,



William H. Stiles
Counsel for the Maine State Chamber
of Commerce

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CERTIFICATE OF SERVICE

I, William H. Stiles, attorney for the Maine State Chamber of Commerce, hereby certify that on this day I caused to be served the Maine State Chamber of Commerce Application to Intervene upon the following:

- (1) Two Hard Copies via U.S. Mail to:
Board of Directors, Dirigo Health Agency
Attn: Ruth Ann Burke
Dirigo Health Agency
53 State House Station
Augusta, Maine 04330-0053
- (2) One Electronic Copy to ruth.a.burke@maine.gov
- (3) One Hard Copy via U.S. Mail to:
William H. Laubenstein, III, Esq.
Office of the Attorney General
6 State House Station
Augusta, Maine, 04333-0006

Dated: May 19, 2009



William H. Stiles, Bar No. 8123