

COMMISSIONER OF SECURITIES & INSURANCE

MONICA J. LINDEEN
COMMISSIONER



OFFICE OF THE MONTANA
STATE AUDITOR

ADVISORY MEMORANDUM

To: All Disability Insurance Carriers and Independent Review Organizations
From: Monica J. Lindeen, Commissioner of Securities and Insurance
Office of the Montana State Auditor
Date: November 2, 2015

INDEPENDENT REVIEW ORGANIZATIONS – APPLICATION TO PERFORM EXTERNAL REVIEWS IN MONTANA

In 2015, the Montana Legislature passed Senate Bill 83 (SB83), now codified in Title 33, Chapter 32 of the Montana Code Annotated. SB83 adopted three National Association of Insurance Commissioners (NAIC) model acts, including a version of the Uniform Health Carrier External Review Model Act. Federal law formerly preempted Montana law relating to external review for failure to conform to certain federal minimum standards. The Center for Consumer Information and Insurance Oversight has reviewed the text of SB83, and has determined it satisfies those federal standards. Therefore, Montana law will no longer be preempted once SB83 goes into effect on January 1, 2016.

The Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI) will maintain a list of independent review organizations (IRO) approved to perform external reviews in Montana. § 33-32-416(8). A health insurer may only obtain external reviews from an approved IRO. See e.g. § 33-32-410(6)(a). An IRO wishing to be added to the approved list must submit an application to the CSI in the approved format. § 33-32-416(4).

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The CSI has developed an online IRO application process, and requires that all applications and supporting materials be submitted using this method. The application can be accessed on the CSI website at:

http://csimt.gov/wp-content/uploads/IRO_Application_ext.pdf

To apply, complete the application and submit electronically to the link included on the form.

To be included in the IRO list in effect on January 1, 2016, an IRO must submit its application for approval **no later than December 1, 2015**. The CSI will notify the IRO no later than December 15, 2015, whether its application is complete and has been approved. The CSI will periodically update the approved IRO list.

For any questions regarding this advisory memorandum, call the CSI Legal Bureau at (406) 444-2040.