

January 7, 2026

Commissioner James (Jim) Brown
Montana Commissioner of Insurance & State Auditor
State of Montana
840 Helena Avenue
Helena, MT 59601

Re: Request for Comments on the Development of Administrative Rules to Implement HB 740

Dear Commissioner Brown:

On behalf of BCBSMT, please accept this letter in response to the development of administrative rules to implement House Bill 740 (HB 740). I appreciate your commitment to seeking input as implementation will have a significant impact on the ability to provide accessible and affordable prescription drug coverage for Montanans.

HB 740 contains several provisions that encroach on areas traditionally preempted under the Employee Retirement Income Security Act of 1974 (ERISA). BCBSMT urges CSI to avoid any language that could be interpreted as an attempt to regulate self-funded ERISA plans beyond the limits of current federal law.

Regarding Topics 10 and 11, BCBSMT suggests that CSI rely on existing authority to accept complaints, as well as periodic review/audit of compliance.

BCBSMT applauds the CSI's commitment to proactively seeking input, and we look forward to continued collaboration as HB 470 implementation moves forward.

Thank you for your consideration in this matter.

Sincerely yours,



Lisa D. Kelley, President
Blue Cross and Blue Shield of Montana

LDK:aa

cc: Sean Slanger, MT General Counsel
J. T. Petherick, Assoc. V.P. of State Government Relations, BCBSOK