

**§4321. Consumer Health Care Division**

**1. Division established.** The Consumer Health Care Division, referred to in this section as the "division," is established within the Bureau of Insurance. The division shall work in coordination with other bureau sections and staff to accomplish the duties set forth in subsection 4. [PL 1997, c. 792, §3 (NEW).]

**2. Director.** The Director of the Consumer Health Care Division, referred to in this section as the "director," is the head of the Consumer Health Care Division. The director is appointed by the superintendent and is subject to the approval of the Commissioner of Professional and Financial Regulation. The director is subject to the Civil Service Law. [PL 2005, c. 294, §23 (AMD).]

**3. Staff.** The superintendent may hire or assign personnel as determined necessary to perform the duties of the division subject to the approval of the Commissioner of Professional and Financial Regulation and subject to the Civil Service Law. The personnel are supervised by the director in consultation with the superintendent. The qualifications of those personnel must reflect the needs and responsibilities relating to the division's duties under this subchapter. [PL 1997, c. 792, §3 (NEW).]

**4. Duties.** The duties of the division include:

- A. Providing access to the division through a toll-free number; [PL 1997, c. 792, §3 (NEW).]
- B. Providing information to consumers regarding health care plan options and obtaining health care coverage and services. The division may not make any specific recommendations regarding commercially offered products; [PL 1997, c. 792, §3 (NEW).]
- C. Assisting enrollees to understand their rights and responsibilities under health care plans; [PL 1997, c. 792, §3 (NEW).]
- D. Providing information to consumers on health care plan performance by distributing materials and utilizing existing resources relating to health care plan performance; [PL 1997, c. 792, §3 (NEW).]
- E. Providing assistance to enrollees with complaints relating to health care plans, when appropriate. The division may assist enrollees with quality-of-care complaints by coordinating with the appropriate state health professional licensing boards and other appropriate state and federal oversight bodies with authority over quality-of-care complaints. The division shall defer any issues of professional competence to the appropriate state health professional licensing boards; [PL 1997, c. 792, §3 (NEW).]
- F. Collecting and disseminating information regarding health care plans, quality assurance programs and quality improvement and coordinating information with other public entities or agencies involved in the delivery, funding or regulation of health care; [PL 1997, c. 792, §3 (NEW).]
- G. Acting as an information resource in the development of policies and programs that protect consumer interests and rights under health care plans by:
  - (1) Analyzing, evaluating and monitoring the development and implementation of federal, state and local laws, regulations, rules and other governmental policies and actions that pertain to the health, safety, welfare and rights of health care consumers; and
  - (2) Identifying practices and policies that may affect access to quality health care, including, but not limited to, practices relating to marketing of health care plans and accessibility of services and resources for under-served areas and vulnerable populations. The division may

refer these issues to the appropriate state or federal regulatory agency with jurisdiction over these practices and policies; [PL 1997, c. 792, §3 (NEW).]

H. Promoting coordination between the division and other organizations that assist consumers, including, but not limited to, legal assistance providers serving low-income health care consumers and other health care consumers, health insurance counseling assistance programs, the long-term care ombudsman program pursuant to Title 22, section 5106, subsection 11-C and assistance programs for individuals with disabilities established under federal or state law; [PL 1997, c. 792, §3 (NEW).]

I. Collecting and disseminating information regarding the activities of the division; [PL 1997, c. 792, §3 (NEW).]

J. Submitting an annual report by January 1st of each year to the Commissioner of Professional and Financial Regulation, the Consumer Health Care Division Advisory Council and the joint standing committee of the Legislature having jurisdiction over insurance matters describing the activities carried out by the division in the year for which the report is prepared, analyzing the data available to the division and evaluating the problems experienced by consumers; and [PL 1997, c. 792, §3 (NEW).]

K. Performing other duties as the superintendent may prescribe. [PL 1997, c. 792, §3 (NEW).]  
[PL 1997, c. 792, §3 (NEW).]

#### SECTION HISTORY

PL 1997, c. 792, §3 (NEW). PL 2005, c. 294, §23 (AMD).

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