

## **NE DOI Trade Secret Request Template**

### **REQUEST FOR TRADE SECRET HANDLING of MATERIAL in MAJOR MEDICAL RATE FILINGS, April 12, 2021**

Pursuant to Neb. Rev. Stat. § 84-712.01(1), all records and documents of or belonging to the State of Nebraska are public records unless a statute expressly protects them from disclosure.

Issuers submitting rate filings in Nebraska SERFF may request Trade Secret Protection for certain material under Nebraska Revised Statute § 84-712.05(3). Please refer to the Nebraska DOI's Web-site guidance on requesting Trade Secret handling of material in SERFF filings: "Trade Secret Protection for Life and Health Insurance Filings in SERFF" which summarizes and provides citations to Nebraska Attorney General Opinions defining the scope of trade secret protection in Nebraska: <https://doi.nebraska.gov/sites/doi.nebraska.gov/files/doc/tsp-lh-inc-fil-serff.pdf>

Please fill out this form and submit it with your filing of information or documents with the Nebraska Department of Insurance in the event you are requesting trade secret status for all or a portion of such information or documents. It is your responsibility to both claim and validate your request for confidential or privileged status for each separate portion of the information.

#### **1. Identification of Party Requesting Trade Secret Status:**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
SERFF Number: \_\_\_\_\_

#### **2. Note that the NE DOI keeps all rate filings unpublished during the review process.**

A rate filing will only be made PUBLIC once the filing has been approved and closed, and the date for Nebraska to post rate filings publicly has been reached. Student Health Plan rate filings that include school specific rates will not be made public earlier than 30 days prior to the start of the school year or beginning of the rating period.

CMS publishes some information on ACA rate increases around August 1<sup>st</sup>. each year prior to rate filing review being completed.

**3. Identify Confidentiality or Privilege Claimed (cite legal authority). Identify competitors who may be advantaged if this material were made public.**

Typically here you would include a citation for Nebraska Trade Secret protection under 84-712.05(3).

**4. Identification of specific information or documents for which confidential trade secret status is requested. All of the columns must be completed. Replace the examples input below with your own filing entries:**

ID No	Name of Trade Secret Document	Public SERFF Version of Document	Date	Author	Description of Material, Explanation for why it Should be Trade Secret.
01	COVID-19 pricing assumptions Unredacted_Trade Secret.pdf	COVID-19 pricing assumptions redacted.pdf	6/26/2020	Tom Jones, Jonesmith Actuarial Consultants.	COVID-19 pricing assumptions and impacts to rating factors. Was developed from our consultant's proprietary model.
02	Risk_Adjustment_Scoring_development_Unredacted_Trade Secret.pdf	No Public version.	6/26/2020	Jack Frost, Happy Ins. Co	Contains the summary data and complete development of our risk adjustment factors, and also the prospective risk scoring method. This entire body of information is highly confidential.

<b>03</b>	Actuarial_Memorandum_Trade_Secret.pdf	Actuarial_Memorandum_Redacted_Public.pdf	6/21/2020	Cindy Sue, Happy Ins. Co	Redacted material includes the financial plan for our expansion, pharmacy trends of specialty drugs, induced utilization factors built into our benefit factors.
<b>04</b>					

Add more rows to the table as are needed.