



October 10, 2024

The Honorable David J. Bettencourt  
Commissioner of Insurance  
New Hampshire Insurance Department  
21 S. Fruit Street, Suite 14  
Concord, NH 03301-2430

**Re: First Amendment to Second Amended and Restate Plan of Operation of New Hampshire Health Plan**


Dear Commissioner Bettencourt:

At the New Hampshire Health Plan (NHHP) board meeting on Thursday October 10, 2024, the NHHP Board voted unanimously to approve the attached First Amendment to Second Amended and Restated Plan of Operation and directed me to forward it to you for your approval.

The amendment clarifies the calculation of the Regular Assessment Rate under the Reinsurance Program using the second lowest cost silver plan that is offered in all counties of the State.

Very truly yours,

NEW HAMPSHIRE HEALTH PLAN

By:   
J. Michael Degnan, Executive Director



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Enclosure:

cc: Michelle Heaton, Esq

APPROVAL OF INSURANCE COMMISSIONER:

Date: 10/10/24

  
David J Bettencourt  
New Hampshire Insurance Commissioner

**FIRST AMENDMENT  
To  
SECOND AMENDED AND RESTATED PLAN OF OPERATION  
Of  
NEW HAMPSHIRE HEALTH PLAN**

This FIRST AMENDMENT TO SECOND AMENDED AND RESTATED PLAN OF OPERATION (the "*First Amendment*") is adopted by the Board of Directors (the "*Board*") of the **New Hampshire Individual Health Plan Benefit Association, doing business as "New Hampshire Health Plan" ("NHHP")**, and is being submitted to the New Hampshire Insurance Commissioner (the "*Insurance Commissioner*") for approval.

***Factual Background:***

A. In October, 2023 the NHHP Board revised and consolidated its Plan of Operation and Termination adopted and amended from time to time pursuant to New Hampshire RSA 404-G and various Orders of the Insurance Commissioner, and adopted its Second Amended and Restated Plan of Operation (the "*Current Restated Plan*").

B. The NHHP Board desires to amend the Current Restated Plan to clarify the calculation of the Regular Assessment Rate under its Reinsurance Program.

***Terms of First Amendment:***

The NHHP Board adopts the following First Amendment to its Current Restated Plan:

1. Defined Terms. Any capitalized terms used but not defined in this First Amendment will have the meaning ascribed to them by the Current Restated Plan. From and after the effective date of this First Amendment, the term "Restated Plan" will mean the Current Restated Plan as amended by this First Amendment.

2. Amendment to Current Restated Plan. The first sentence of the first paragraph of Attachment 1 to the Reinsurance Program Plan of Operation (set forth in Appendix A of the Current Restated Plan), labeled "Regular Assessment Rate," is amended by deleting the first sentence in its entirety and replacing it with the following:

*“The Regular Assessment Rate initially will equate to 60 basis points (0.6%) of the premiums charged in the prior plan year for the second lowest cost silver plan offered in all counties of the State (using the rate associated with a 40 year-old non-smoker enrollee purchasing a plan on the New Hampshire Marketplace) before the impact of the Reinsurance Program is calculated.”*

3. Reaffirmation of Remaining Terms of Restated Plan. The remaining terms of the Restated Plan which are not affected by this First Amendment remain in full force and effect.

4. Effective Date. This First Amendment will become effective on the date on which it is approved by the New Hampshire Insurance Commissioner (the “Effective Date”).

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**APPROVAL OF NEW HAMPSHIRE INSURANCE COMMISSIONER**

The foregoing First Amendment to the Second Amended and Restated Plan of Operation adopted by the Board of Directors of the New Hampshire Individual Health Plan Benefit Association, d/b/a New Hampshire Health Plan, is hereby approved.

DATE: October 10, 2024

  
D.J. Bettencourt, Commissioner