DC APPLESEED
Solving DC Problems

1111 Fourteenth Street, NW
Suite 510
Washington, DC 20005

Phone 202.289.8007
Fax 202.289.8009
www.dcappleseed.org

WALTER SMITH
Executive Director

BOARD OF DIRECTORS

CHAIR: GARY M. EPSTEIN
Latham & Watkins LLP
(retired partner)

VICE-CHAIR: PATRICIA A. BRANNAN
Hogan & Hartson LLP

VICE-CHAIR: DEBORAH M. ROYSTER
Pepco Holdings, Inc.

SECRETARY: JON BOUKER
Arent Fox LLP

TREASURER: JAMES H. HAMMOND
Deloitte & Touche LLP

PAST-CHAIR: RICHARD HERZOG
Harkins Cunningham LLP

PAST-CHAIR: NICHOLAS W. FELS
Covington & Burling LLP

KATHERINE S. BRODERICK
University of the District of Columbia - David A. Clarke School of Law

PATRICK S. CAMPBELL
Paul, Weiss, Rifkind, Wharton & Garrison LLP

DEBORAH J. CHOLLET
Mathematica Policy Research, Inc.

SHELDON S. COHEN
Farr, Miller & Washington LLC

ANNEMARGARET CONNOLLY
Weil, Gotshal & Manges LLP

MARC EFRON
Crowell & Moring LLP

CURTIS ETHERLY
Coca-Cola Enterprises Bottling Companies

FRED GOLDBERG
Skadden

JANIE JEFFERS
Jeffers & Associates LLC

BOB LEVEY
Journalist

LORIE MASTERS
Jenner & Block LLP

JACQUE D. PATTERSON
Federal City Council

JAMES P. RATHVON
DLA Piper US LLP

GARY RATNER
Citizens for Effective Schools, Inc.

AMY P. RIFKIND
Arnold & Porter LLP

LOIS J. SCHIFFER
Attorney

MARGARET SINGLETON
DC Chamber of Commerce

STANLEY M. SPRACKER
Levine School of Music

TED TRABUE
District Economic Employment

RODERIC L. WOODSON
Holland & Knight LLP

MATTHEW YEO
Steptoe & Johnson LLP

November 2, 2009

The Hon. Gennet Purcell, Commissioner
Department of Insurance, Securities and Banking
810 First Street NE, Suite 701
Washington, DC 20002

Re: Surplus Review of Group Hospitalization and Medical Services, Inc.
09-MIE-001

Dear Commissioner Purcell:

The District of Columbia Appleseed Center for Law and Justice, Inc. ("DC Appleseed") respectfully submits the following documents for the DISB's consideration and to be entered into the official record as part of the Group Hospitalization and Medical Services, Inc. excess surplus review examination, a hearing for which was held on September 10 and 11, 2009.

This filing consists of the following: a cover memorandum by DC Appleseed; Covington and Burling, LLP's legal analysis of the Medical Insurance Empowerment Amendment Act of 2008 (MIEAA); a rebuttal and report prepared by Actuarial Risk Management; and an analysis by Dr. Deborah Chollet, Senior Fellow at Mathematica Policy Research, Inc.

DC Appleseed respectfully requests a waiver of the 8 page limit for a rebuttal in the Emergency and Proposed Rulemaking (56 DCR 5666, § 4602.4). The enclosed filings include not only rebuttal statements, but also responses to DISB's requests made at the hearing for additional analysis, and supplemental testimony.

Thank you.

Yours truly,

Walter Smith
Executive Director

Cc Mrs. Leslie Johnson, Hearing Officer
Phillip Barlow, Associate Commissioner
Mr. Stephen Taylor, General Counsel
Carmenita Snowden, Executive Assistant

Affiliations listed only for purposes of identification