

Special Enrollment Period (SEP) Overview



**Special Enrollment
Period (SEP)
Overview for the
Federally-facilitated
Marketplace**

April 2017

Special Enrollment Period Overview

1. SEP Basics
 1. Qualifying Events Overview
 2. Prior Coverage Requirements
 3. Coverage Effective Dates
2. Qualifying Events and Examples
3. Q&A

1. SEP Basics

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- 1. Qualifying Events Overview**
- 2. Prior Coverage Requirements**
- 3. Coverage Effective Dates**

- 2. Qualifying Events and Examples**
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When Consumers Can Enroll in Qualified Health Plan Coverage

- During the Annual Open Enrollment Period (OEP)
 - The 2017 OEP ended on January 31, 2017
 - The 2018 OEP will start on November 1, 2017, and runs through December 15, 2017
- During a Special Enrollment Period (SEP), if they experience a qualifying event
 - In most cases, consumers have 60 days from the date of the qualifying event to enroll in coverage
 - A qualifying event can occur anytime during the year

Qualifying for an SEP

Consumers may qualify for an SEP to enroll in or change plans if they experience a qualifying event in one of the following six categories:

1. Loss of qualifying health coverage
2. Change in household size
3. Change in primary place of living (referred to as “move SEP”)
4. Change in eligibility for Marketplace coverage or help paying for coverage
5. Enrollment or plan error
6. Other situations

See Fact Sheet – Special Enrollment Periods Available to Consumers:

<https://marketplace.cms.gov/outreach-and-education/special-enrollment-periods-available-to-consumers.pdf>

Prior Coverage Requirement

- Some SEPs are available to anyone who's eligible for coverage and experienced a qualifying event.
- Some SEPs are only available to:
 - Consumers who had prior coverage.
 - Consumers who already have Marketplace coverage.

Examples?

Prior Coverage Requirement Cont.

- Some SEPs are available to anyone who's eligible for coverage.
 - **Example:** SEP for consumers who become newly eligible for Marketplace coverage due to change in immigration status
- Some SEPs are only available to:
 - Consumers who had prior coverage for one or more days in the 60 days preceding their SEP qualifying event
 - **Example:** Move SEP*
 - Consumers who already have Marketplace coverage
 - **Example:** SEP for enrollees whose income changes, making them newly eligible or ineligible for help paying for coverage

*Unless they moved to the U.S. from a foreign country or U.S. territory or are a member of a Federally recognized tribe or Shareholders of Alaska Native Corporations (sometimes referred to as "AI/AN").

Coverage Effective Dates

- This presentation explains **when** consumers' coverage can start based on their SEP type.
- Coverage might start based on:
 - Regular prospective coverage effective dates
 - Accelerated prospective coverage effective dates
 - Retroactive coverage effective dates

Regular Prospective Coverage

Effective Dates

- Coverage starts:
 - 1) The first day of the following month if a plan was selected between the 1st and 15th day of the month; or
 - 2) The first day of the second following month if a plan was selected between the 16th and the last day of the month.
- **For example:** Open Enrollment and Move SEP

Accelerated & Retroactive Coverage Effective Dates

Accelerated prospective coverage effective dates

- Coverage starts:
 - The first day of the following month if a plan is selected at any point during the month.
 - **Example:** Loss of qualifying health coverage SEP, Marriage SEP

Retroactive coverage effective dates:

- Coverage starts:
 - On a date in the past, based on the qualifying event date.
 - **Example:** Birth SEP

2. Qualifying Events and Examples

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Qualifying for an SEP

Consumers may qualify for an SEP to enroll in or change plans if they experience a qualifying event in one of the following six categories:

1. Loss of qualifying health coverage
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3. Change in primary place of living (referred to as “move SEP”)
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1. Loss of Qualifying Health Coverage

- Consumers may qualify for an SEP if they (or anyone in their household who is seeking coverage) lose qualifying health coverage, also known as minimum essential coverage (MEC). Some examples of qualifying health coverage include:
 - Coverage through a job, or through another person's job
 - This also applies when consumers become newly eligible for help paying for coverage because their employer stops offering coverage or the coverage is no longer considered affordable or minimum value.
 - Consumers who receive COBRA contributions from a former employer may qualify for an SEP due to a loss of qualifying coverage based on the date that the COBRA contributions stop.

1. Loss of Qualifying Health Coverage Cont.

- Medicaid or Children’s Health Insurance Program (CHIP) coverage (including pregnancy-related coverage and medically needy coverage)
- Some student health plans (check with the school to see if the plan counts as qualifying health coverage)
- Individual or group health plan coverage that ends during the year
- Dependent coverage that a consumer has through a parent’s plan
 - Consumers can qualify for this SEP when they turn 26, or the maximum dependent age allowed in their state, and lose coverage.

When Consumers Do Not Qualify

Consumers do not qualify for the loss of qualifying health coverage SEP if:

- They voluntarily end their prior coverage
 - Except: Consumers can qualify if they voluntarily leave their job and, as a result, lose their health coverage.
- Their coverage ends due to nonpayment of premiums
 - Except: Consumers can qualify if employer coverage ended because the employer didn't pay premiums.

When Consumers Do Not Qualify Cont.

Consumers do not qualify for the loss of qualifying health coverage SEP if:

- The coverage they lose did not qualify as minimum essential coverage
 - [Click here](#) to learn more about what qualifies as MEC.
- They lost coverage more than 60 days ago

Coverage Effective Dates for Loss of Qualifying Health Coverage SEPs

Situation	Plan Selection Date	Coverage Effective Date
Loss of Qualifying Health Coverage Qualifying Event Date: Date that prior coverage ends	Any day of the month	Accelerated: First day of the month after plan selection
Future Loss of Qualifying Health Coverage Qualifying Event Date: See above ➤ Consumers can apply and qualify for this SEP up to 60 days <i>before</i> they lose coverage.	Any day of the month	Accelerated: First day of the month after plan selection, following prior coverage end date

Example: Loss of Employer-Sponsored Coverage

Emma recently decided to leave her job to start her own business. She left her job on April 5, 2017, and her employer-sponsored coverage ended at the end of the month, on April 30.

- What is Emma's qualifying event date?
- How much time does Emma have to select a plan?
- When will Emma's Marketplace coverage start?

Example: Loss of Employer-Sponsored Coverage Cont.

Emma recently decided to leave her job to start her own business. She left her job on April 5, 2016, and her employer-sponsored coverage ended at the end of the month, on April 30.

- What is Emma's qualifying event date?
 - **Loss of coverage on April 30.**
- How much time does Emma have to select a plan?
 - **Emma can report her coverage loss and pick a Marketplace plan 60 days before or 60 days after April 30.**
- When will Emma's Marketplace coverage start?
 - Emma's coverage will start based on **accelerated prospective coverage effective dates** – the first of the month after she loses coverage and selects a plan, regardless of when during the month she selects her plan.

Example: Loss of Employer-Sponsored Coverage *in the Future*

Scenario: Emma chooses a plan before coverage loss

- Emma's employer-sponsored coverage is ending on April 30, 2017.
- On April 29, 2017, Emma applies for and enrolls in a plan through the Marketplace.
- Emma qualifies for a Loss of MEC SEP, and her Marketplace coverage will begin on May 1, 2017.

Example: Loss of Employer-Sponsored Coverage *in the Past*

Scenario: Emma chooses a plan after coverage loss

- Emma's employer-sponsored coverage ended on April 30, 2017.
- On May 3, 2017, Emma applies for and enrolls in a plan through the Marketplace.
- Emma qualifies for a Loss of MEC SEP, and her Marketplace coverage will begin on June 1, 2017.

2. Changes in Household Size

- A consumer may qualify for an SEP if he or she (or anyone in his or her household)
 - Got married
 - Had a baby, adopted a child, or placed a child for foster care
 - Gained or became a dependent due to a child support or other court order
 - Got divorced, legally separated, or had a death in the family **and lost health coverage**

NEW: Prior Coverage Requirement for Marriage SEP

As of June 19, 2017, in order to qualify for an SEP due to a marriage, **at least one spouse** must have:

- Had qualifying coverage; OR
- Lived in a foreign country or in a U.S. territory

for one or more days during the 60 days preceding the date of the marriage.

This prior coverage requirement does not apply to members of a federally recognized tribe or Shareholders of Alaska Native Corporations (sometimes referred to as AI/AN).

Coverage Effective Dates for Change in Household Size SEP

Situation	Plan Selection Date	Coverage Effective Date
<p>Gaining or becoming a dependent through marriage and</p> <ul style="list-style-type: none">• Had qualifying coverage; or• Lived in a foreign country or in a U.S. territory <p>for at least one of the 60 days preceding the date of the marriage.</p> <ul style="list-style-type: none">• This prior coverage requirement does not apply to AI/AN consumers. <p>Qualifying Event: Date of marriage</p>	Any day of the month	Accelerated: First day of the month after plan selection
<p>Gaining or becoming a dependent through birth, adoption, or placement for adoption or foster care, or due to a child support or other court order</p> <p>Qualifying Event: Date of birth, adoption, foster care placement, or effective date of child support/ other court order</p>	Any day of the month	Retroactive: Day the child was born, adopted, or placed for adoption or foster care, or date that the court order took effect

Coverage Effective Dates for Change in Household Size SEP Cont.

- The SEP due to gaining or becoming a dependent due to birth, adoption, foster care placement, or a child support or other court order provides **retroactive coverage effective dates**.
- However, if they prefer, consumers can call the Marketplace Call Center to request:
 - For SEPs due to birth, adoption, or foster care placement:
 - First of the month following the date of birth, adoption, placement for adoption, or placement in foster care; OR
 - Regular prospective coverage effective dates based on plan selection
 - For SEPs due to child support or other court order:
 - Regular prospective coverage effective dates based on plan selection

Example: Marriage

- Bob and Britney got married on May 5
- Britney was already enrolled in a Marketplace plan
 - Bob can join her plan
 - Bob can enroll in a different plan
 - Britney can enroll in a different plan with Bob
- What is the couple's qualifying event date?
- How much time do they have to select a new plan?
- When will their Marketplace coverage start?

Example: Marriage Cont.

- Bob and Britney got married on May 5
- Britney was already enrolled in a Marketplace plan
 - Bob can join her plan
 - Bob can enroll in a different plan
 - Britney can enroll in a different plan with Bob
- What is the couple's qualifying event date?
 - **Marriage on May 5.**
- How much time do they have to select a new plan?
 - **They can report their marriage and pick a Marketplace plan up to 60 days after May 5.**
- When will their Marketplace coverage start?
 - Their coverage will start based on **accelerated prospective coverage effective dates** – the first of the month after they choose a plan, regardless of when during the month they select their plan. For example, if they pick a plan May 18, their coverage will start June 1.

3. Change in Primary Place of Living (Move SEP)

A consumer may qualify for an SEP if he or she (or anyone in the household):

- Gained access to new Marketplace plans because of a change in his or her primary place of living; and
 - Had qualifying coverage; or
 - Lived in a foreign country or in a U.S. territory for at least one of the 60 days preceding the date of the move.

This prior coverage requirement does not apply to members of a federally recognized tribe or Shareholders of Alaska Native Corporations (sometimes referred to as AI/AN).

➤ **REMINDER: Moving only for medical treatment or staying somewhere for vacation doesn't qualify consumers for an SEP.**

3. Change in Primary Place of Living (Move SEP) Cont.

- Examples of qualifying changes in primary place of living:
 - Moving to a new home in a new zip code or county where new QHPs are available
 - Moving to the U.S. from a foreign country or U.S. territory
 - A student moving to or from the place he or she attends school
 - A seasonal worker moving to or from the place he or she lives and works
 - Moving to or from a shelter or other transitional housing

REMINDER: Moving only for medical treatment or staying somewhere for vacation doesn't qualify consumers for an SEP.

Coverage Effective Dates for Move SEP

Situation	Plan Selection Date	Coverage Effective Date
<p>Gained access to new Marketplace plans because of a change in his or her primary place of living; <u>and</u></p> <ul style="list-style-type: none">• Had qualifying coverage; or• Lived in a foreign country or in a U.S. territory	Between the 1 st and 15 th day of the month	Regular: First day of the month following plan selection
<p>for at least one of the 60 days preceding the date of the move.</p> <ul style="list-style-type: none">• This prior coverage requirement does not apply to AI/AN consumers. <p>Qualifying event: Date of move</p>	Between the 16 th and last day of the month	Regular: First day of the second month following plan selection

Assister Tip: Help Consumers Understand the Change in Primary Place of Living SEP

Consumers who might qualify for the SEP due to a change in their primary place of living should consider:

- Did I move to a different county, and/or did my zip code change?
 - *This usually means the consumer will have access to new health coverage options.*
- Did I have qualifying coverage at any point during the 60 days before I moved?
 - *If not, did I move from a foreign country or a U.S. territory?*

If a consumer can answer **yes to both of these questions**, he or she may qualify for an SEP due to a change in primary place of living.

Example: Moving to a New State

- Charles lives in Orlando, FL and is enrolled in a Marketplace Plan. He moves to Newark, NJ on May 12 to be closer to his family.
- Charles has gained access to new Marketplace plans as a result of his move, so he may qualify for an SEP due to a change in primary place of living.
 - What is Charles' qualifying event date?
 - How much time does Charles have to select a new plan?
 - When will Charles' new Marketplace coverage start?

Example: Moving to a New State Cont.

- Charles lives in Orlando, FL and is enrolled in a Marketplace Plan. He moves to Newark, NJ on May 12 to be closer to his family.
- Charles has gained access to new Marketplace plans as a result of his move, so he may qualify for an SEP due to a change in primary place of living.
 - What is Charles' qualifying event date? **Move on May 12.**
 - How much time does Charles have to enroll in coverage? Charles can report his coverage loss and pick a Marketplace plan **up to 60 days after May 12.**
 - When will Charles' Marketplace coverage start? Charles' coverage will start based on **regular prospective coverage effective dates:**
 - **The first day of the following month if a plan is selected between the 1st and 15th day of the month; or**
 - **The first day of the second following month if a plan is selected between the 16th and the last day of the month.**

Example: Moving to a New State – Plan Selection

- Charles returns to his Marketplace account on May 14, enrolls in new coverage in New Jersey, and terminates his FL coverage effective May 31.
- His coverage in New Jersey will begin on June 1.

➤ **Assister Tip:** Charles moved to a new state, so he must complete a new application for New Jersey in his Marketplace account.

He should also end his current Marketplace coverage in Florida at least 14 days ahead of time, either through his Marketplace account or by calling the Marketplace Call Center.

More information on ending Marketplace coverage is [available here](#).

4. Change in Eligibility for Marketplace Coverage or Help Paying for Coverage

A consumer may qualify for an SEP if he or she (or anyone in his or her household):

- Is enrolled in Marketplace coverage and reports a change that makes the consumer:
 - ✓ Newly eligible for help paying for coverage
 - ✓ Newly ineligible for help paying for coverage
 - ✓ Eligible for a different amount of help paying out-of-pocket costs
- Becomes newly eligible for Marketplace coverage after being released from incarceration

4. Change in Eligibility for Marketplace Coverage or Help Paying for Coverage (2 of 3)

- Becomes newly eligible for Marketplace coverage because the consumer becomes a citizen, national, or lawfully present individual.
- Gains or maintains status as a member of a federally recognized tribe or Alaska Native Claim Settlement Act (ANCSA) Corporation shareholders.
 - Consumers with this status may change plans once per month, and their dependents may enroll in or change plans with them.

4. Change in Eligibility for Marketplace Coverage or Help Paying for Coverage (3 of 3)

- Becomes newly eligible for help paying for Marketplace coverage because of a change in income or move to a different state and the consumer was previously :
 - Ineligible for Medicaid coverage because he or she lived in a state that hasn't expanded Medicaid;

AND

 - Ineligible for help paying for coverage because his or her household income was below 100% of the Federal Poverty Level (FPL).

Example: Change in Eligibility for Marketplace Coverage or Help Paying for Coverage

Juana and Alex are enrolled in Marketplace coverage, and use advance payments of the premium tax credit (APTC) to help lower their monthly payments. When they signed up during Open Enrollment, they didn't qualify for cost sharing reductions (CSRs), because their household income was 350% of the federal poverty level (FPL).

On May 22, Alex reduces the number of hours she works to spend more time caring for the couple's daughter Lucy. When she and Juana update their Marketplace application with their new household income, they newly qualify for CSRs.

- Do Juana and Alex qualify for an SEP due to their change in eligibility for CSRs?
- If so, how much time do they have to select a plan?
- When will their coverage start based on when they select a plan?

Example: Change in Eligibility for Marketplace Coverage or Help Paying for Coverage Cont.

Juana and Alex are enrolled in Marketplace coverage, and use advance payments of the premium tax credit (APTC) to help lower their monthly payments. When they signed up during Open Enrollment, they didn't qualify for cost sharing reductions (CSRs), because their household income was 350% of the federal poverty level (FPL).

On May 22, Alex reduces the number of hours she works to spend more time caring for the couple's daughter Lucy. When she and Juana update their Marketplace application with their new household income, they newly qualify for CSRs.

- Do Juana and Alex qualify for an SEP due to their change in eligibility for CSRs?
 - Yes – The family is currently enrolled in Marketplace coverage, and newly eligible for CSRs due to their change in household income.
- If so, how much time do they have to select a plan?
 - Juana and Alex have until July 21 to select a new plan, 60 days after their change in household income on May 22.
- When will their coverage start based on when they select a plan?
 - Coverage will start based on regular prospective coverage effective dates.

Coverage Effective Dates for Change in Eligibility SEP

Situation	Plan Selection Date	Coverage Effective Date
Change in eligibility for Marketplace coverage or help paying for coverage	Between the 1 st and 15 th day of the month	Regular: First day of the month following plan selection
Qualifying event: Date of change in eligibility	Between the 16 th and last day of the month	Regular: First day of the second month following plan selection

5. Enrollment or Plan Error

A consumer may qualify for an SEP if he or she (or anyone in his or her household):

- Wasn't enrolled in a plan or was enrolled in the wrong plan because of:
 - ✓ Misinformation, misrepresentation, misconduct, or inaction of someone working in an official capacity to help the consumer enroll
 - ✓ A technical error or another Marketplace-related enrollment delay
 - ✓ Wrong plan data (like benefit or cost-sharing information) was displayed in the plan compare feature of HealthCare.gov at the time of plan selection
- Can demonstrate that his or her Marketplace plan has violated a key part (material provision) of its contract

Coverage Effective Dates for Enrollment or Plan Error SEPs

Situation	Plan Selection Date	Coverage Effective Date
Enrollment or Plan Error Qualifying Event: Date that error occurs or that the consumer is notified by the Marketplace or Issuer	Any day of the month	Effective dates appropriate based on circumstances Consumers can elect retroactive coverage back to the date they would have gotten absent the error, or a regular prospective coverage effective date.

6. Other Qualifying Changes

- A consumer may qualify for an SEP if he or she (or anyone in his or her household):
 - Applies for Medicaid/CHIP during an OEP, or due to a qualifying event, and the state agency later determined, outside of the OEP or more than 60 days after the SEP qualifying event, that the consumer was not eligible.
 - Is a victim of domestic abuse or spousal abandonment and wants to enroll in a health plan separate from his or her abuser or abandoner; dependents on the same application may enroll in coverage at the same time as the victim.
 - Is an AmeriCorps service member starting or ending AmeriCorps service.

6. Other Qualifying Changes Cont.

- A consumer may qualify for an SEP if he or she (or anyone in his or her household):
 - Submitted documents and cleared their data matching issue after their coverage was ended.
 - Is under 100% of the Federal Poverty Level (FPL), submitted documents to prove that they have an eligible immigration status and didn't enroll in coverage while they waited for their documents to be reviewed.
 - Can show he or she experienced an exceptional circumstance that kept him or her from enrolling in coverage during an enrollment period, like being incapacitated or a victim of a natural disaster.

Coverage Effective Dates for Other Qualifying Changes

Situation	When Does Coverage Start?
Other Qualifying Changes/Exceptional Circumstances	Effective dates appropriate based on circumstance

Events that do not trigger an SEP

- Voluntarily dropping other coverage (unless a consumer voluntarily leaves a job and loses employer-sponsored coverage)
- Being terminated from other coverage for not paying premiums or for fraud
- Divorce or death of a family member without a resulting loss of coverage
- Moving solely for medical treatment or vacation
- Changing from one legally present status to another (e.g. consumer who becomes a U.S. citizen who was previously a lawfully present individual)

3. Q&A

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