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Center for Consumer Information and Insurance Oversight (CCIIO)

Title: Insurance Standards Bulletin Series--INFORMATION

Subject: CCIIO Technical Guidance (CCIIO 2011—003): Submission of 2011 Quarterly Reports of MLR Data by Issuers of “Mini-med” and Expatriate Plans

I. Purpose

Section 2718 of the Public Health Service Act (PHS Act), as added by the Patient Protection and Affordable Care Act (Affordable Care Act), requires health insurance issuers (issuers) to submit a report to the Secretary concerning their medical loss ratio (MLR) and requires them to issue a rebate to enrollees if the issuer’s MLR is less than the percentages established in section 2718(b). The interim final rule for Health Insurance Issuers Implementing Medical Loss Ratio (MLR) Requirements Under the Patient Protection and Affordable Care Act, 75 FR 74864 (to be codified at 45 CFR Part 158), was published on December 1, 2010 and modified by technical corrections on December 30, 2010 (75 FR 82277) (IFR).

The IFR requires issuers of certain policies to submit quarterly reports for the 2011 MLR reporting year, on a form and in the manner prescribed by the Secretary, with the first report to be filed by May 1 for the quarter ending March 31. (45 CFR §158.110(b).) The types of policies for which issuers must file these quarterly reports in 2011 are: (a) policies that have a total annual limit of \$250,000 or less (“mini-med plans”); and (b) group policies that provide coverage for employees working outside their country of citizenship, employees working outside of their country of citizenship and outside the employer’s country of domicile, and non-U.S. citizens working in their home country (“expatriate plans”). (45 CFR §§158.110(b)(2) and 158.120(d)(3) and (4).) On April 26, 2011, CMS issued Technical Guidance (CCIIO 2011 -001) extending the deadline for the first quarter report and advising that once the reporting form is finalized, additional guidance would be posted indicating the new date by which the first quarterly report is due as well as providing instructions on how to submit quarterly reports to the Secretary. This Technical Guidance is posted on the internet at:
http://cciio.cms.gov/resources/files/2011_0426_guidance_mlr_quarterly_rpt.pdf.

This Bulletin sets forth guidance on the filing of the first quarterly report.

II. Submission of 2011 Quarterly Reports to the Secretary

The quarterly reporting form has been finalized. All issuers subject to 45 CFR §§158.110(b)(2) and 158.120(d)(3) and (4) must submit their quarterly data for the first quarter of 2011 by June 30, 2011, with future quarterly reports to be submitted according to the timeframes specified in 45 CFR §158.110(b)(2). The quarterly reporting form and instructions for completing it are available on CCIIO's website: <http://cciio.cms.gov/programs/marketreforms/mlr/index.html>.

Quarterly reports required under §158.110(b)(2) must be submitted to CMS in Excel spreadsheet format via the following electronic email address: MLR@hhs.gov. CMS will generate an auto-response email to confirm receipt of the quarterly report. If an issuer does not receive the email confirming receipt, the issuer must contact CMS at (301) 492-4457 to confirm receipt.

Where to get more information:

If you have any questions regarding this Bulletin, please contact the Center for Consumer Information and Insurance Oversight, Office of Oversight, by telephone at (301) 492-4457 or by email at MLRQuestions@hhs.gov.