



Date: November 20, 2013
From: Gary Cohen, Director, Center for Consumer Information and Insurance Oversight
Subject: Procedural Guidance Regarding State Reporting for Plan or Policy Years Beginning in 2015

On February 27, 2013, the Centers for Medicare & Medicaid Services (CMS) published a final rule titled “Patient Protection and Affordable Care Act; Health Insurance Market Rules; Rate Review” (78 FR 13406) relating to the 2014 market reforms of the Affordable Care Act.

In pertinent part, the final rule at 45 CFR 147.103 and 156.80 directs that States submit to CMS certain information about State-specific rating and risk pooling standards for plan or policy years beginning in 2014 and, for subsequent plan or policy years, that States submit updated information, if applicable. For plan or policy years beginning in 2014, this information was required to be submitted to CMS by March 29, 2013, in accordance with the form and manner specified in guidance released February 25, 2013.¹

To update a standard that was applied for plan or policy years beginning in 2014 (including a standard that applied by default) for subsequent plan or policy years, States should continue to use the same reporting form and follow the same reporting process outlined in the February 25, 2013 guidance. For plan or policy years beginning in 2015, States must submit this information to CMS not later than January 1, 2014.

If a State is not updating for plan or policy years beginning in 2015 a standard that was applied for plan or policy years beginning in 2014 (including a standard that applied by default), no further action is required.

For purposes of the geographical rating areas, metropolitan statistical areas (MSAs) and non-MSAs in a State published by the United States Census Bureau as of February 25, 2013 will not change for plan or policy years beginning in 2015. The number of MSAs in a State, as described

¹ Sub-Regulatory Guidance Regarding Age Curves, Geographical Rating Areas and State Reporting. Available at: <http://www.cms.gov/CCIIO/Resources/Files/Downloads/market-reforms-guidance-2-25-2013.pdf>.

in the February 25, 2013 guidance, therefore will also not change for 2015. CMS will issue updates regarding the applicable number of MSAs in the States in future guidance as appropriate.

Where to get more information:

If you have any questions regarding this guidance, please e-mail CCIIO at marketreform@cms.hhs.gov.