

Notice to States Regarding Marketplace Auto Re-enrollment

CMS is sending this notice to State regulatory authorities regarding the annual auto re-enrollment determinations for the 2017 Plan Year (PY) in the Federally Facilitated Marketplaces (FFMs) and the State-based Marketplaces on the Federal Platform (SBM-FPs) with respect to individual market QHPs no longer available in the Marketplace. Beginning with the 2017 PY, 45 CFR 155.335(j)(3) authorizes Marketplaces to determine the auto re-enrollment of enrollees in qualified health plans (QHPs) where the issuer will have no Marketplace enrollment option for the upcoming plan year, unless otherwise directed by the State regulatory authority. In the FFMs and the SBM-FPs, this auto re-enrollment will apply to all QHP enrollees where the issuer no longer has a QHP available through the FFMs for the upcoming plan year with a service area that covers the enrollee's location, even if the issuer continues to have QHPs available through that Marketplace that cover other service areas. (The auto re-enrollment will not apply to stand-alone dental plans in the individual market FFMs, SBM-FPs, or SHOP plans.)

This notice outlines the steps CMS expects State Regulatory Authorities in all States with an FFM (including State Partnership Marketplaces) or SBM-FP to take if they wish to direct this auto re-enrollment activity for PY 2017, to ensure that the Marketplace will automatically re-enroll enrollees according to State direction. If CMS does not receive notice from a State regarding its intent to direct the auto re-enrollment of its QHPs no longer available in the Marketplace by 5:00 p.m. ET on June 24, 2016, CMS will proceed to direct auto re-enrollment for applicable QHPs.

If the State elects to direct this auto re-enrollment activity:

- 1) Please "reply all" to this message by **5:00 p.m. ET on June 24, 2016** (since revised to June 30, 2016) confirming the State regulatory authority will direct the auto re-enrollment of enrollees in QHPs where the issuer will have no QHPs available through the Marketplace with a service area that covers an enrollee's location.
- 2) Complete the following actions before **August 16, 2016**:
 - a. Identify issuers and plans that will receive the enrollment of QHPs no longer available in the Marketplace. Issuers must offer at least one QHP in the same service area as QHPs no longer available in the Marketplace in order to be considered a receiving issuer. Please note that while enrollees in QHPs no longer available in the Marketplace can be assigned to different QHPs in different counties, due to constraints in the Plan ID Crosswalk Template, they cannot be auto re-enrolled to different plans within a county. The State should also consider the capacity of the receiving issuers to absorb the new enrollees.
 - b. Complete and submit Plan ID Crosswalk Templates to CMS for all QHPs no longer available in the Marketplace. The Plan ID Crosswalk Template and instructions can be found at <http://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/qhp.html>
- 3) Notify receiving issuers of final auto re-enrollment decision in a manner determined by the State prior to November 1, 2016.
- 4) Coordinate and communicate with CMS as necessary with respect to this process.

If the State defers this auto re-enrollment activity to the Marketplace, the Marketplace will auto re-enroll affected enrollees in another QHP available through the Marketplace with a service area that covers the enrollee's location, taking into account the issuer's ability to absorb new enrollment and the lowest premium plan, according to the following hierarchy:

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1. The enrollee's coverage will be auto re-enrolled in a QHP at the same metal level under the same product network type.
2. If there is no QHP available at the same metal level under the same product network type in the same service area, the enrollee will be auto re-enrolled in a QHP at the same metal level under a different, if possible similar, product network type.
3. If no QHP is available that is the same metal level under a different product network type in the same service area, the enrollee will be auto re-enrolled in a QHP that is one metal level lower than the enrollee's current QHP under the same product network type.
4. If no QHP is available that is one metal level lower than the enrollee's current QHP under the same product network type in the same service area, the enrollee will be auto re-enrolled in a QHP that is one metal level lower under a different, if possible similar, product network type.
5. If no QHP is available that is one metal level lower under a different product network type in the same service area, the enrollee will be auto re-enrolled in a QHP that is one metal level higher than the enrollee's current QHP under the same product network type.
6. If no QHP is available that is one metal level higher than the enrollee's current QHP under the same product network type in the same service area, the enrollee will be auto re-enrolled in a QHP that is one metal level higher under a different if possible similar, product network type.
7. If no QHP is available that is one metal level higher under a different product network type in the same service area, the enrollee will be auto re-enrolled in a QHP at any metal level under the same product network type.
8. If no QHP is available for enrollment at any metal level under the same product network type in the same service area, the enrollee will be auto re-enrolled in a QHP at any metal level under a different, if possible similar, product network type.

CMS intends to provide the State regulatory authority with the auto re-enrollment determination under 45 CFR 155.335(j)(3) prior to communicating its determination to the receiving issuer(s).

Please contact the QHP Applications mailbox at QHP_Applications@cms.hhs.gov with any questions or concerns.