



DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

200 Independence Avenue SW, 733H-02
Washington, DC 20201

March 29, 2013

Eric Cioppa
Superintendent of Insurance
State of Maine
Department of Professional and Financial Regulation
Bureau of Insurance
34 State House Station
Augusta, ME 04333-0334

Dear Superintendent Cioppa:

Thank you for your letter sharing your intent to explore options relating to the certification of the Qualified Health Plans (QHPs) that will be available to consumers beginning on October 1, 2013. Specifically, you have attested that Maine has the legal authority and operational capacity to conduct the plan management activities required to support certification of QHPs, as described in 45 CFR 155.1010(a). Additionally, Maine will perform all plan management activities listed in Section 4.0 of the Blueprint in time for the 2013 QHP selection process.

I understand that the Maine can only proceed with these activities if the State is reimbursed for performing this work.

Please be advised that States may apply for funds to assist them in actively working with the Federal government in the establishment of certain aspects of the Federally-Facilitated Marketplace (until the last funding opportunity in 2014). An example of such assistance includes States making recommendations concerning the certification of Qualified Health Plans in the Federally-Facilitated Marketplace. States may also provide education, information and support to consumers within the States. Please see appendix B of the current Funding Opportunity Announcement regarding allowable costs. Please see appendix B of the current Funding Opportunity Announcement regarding allowable costs. Funding Opportunity Number: IE-HBE-12-001, available at:

<http://www.grants.gov/search/search.do;jsessionid=Vcg0RQPpfQOBsTPVJCnykYmL2ZVQTrKL1vfzVTGP9hvCgVL8ygzy!-488397891?oppId=180734&mode=VIEW>

Please note that all Exchange Cooperative Agreements are subject to the requirements set forth in 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (previously OMB Circular A-87). Please also note that §1311(a)(4)(B) provides that no §1311 grants may be awarded after December 31, 2014; however, this should not prevent Maine from continuing to maintain its role in overseeing health insurance coverage offered within the State consistent with the traditional role of States in regulating the health insurance market.

I would like to thank you for ensuring that Maine will participate in a discussion with the Centers for Medicare & Medicaid Services (CMS) to determine Maine's operational plans and capacity to perform these functions. Based on what we learn during this one-day discussion, CMS will initiate a process that will enable us to rely on Maine's recommended determinations that health plans meet QHP certification requirements.

Assuming Maine continues to act in accordance with your attestations, CMS will continue to rely on Maine's recommendations in certifying QHPs. CMS, however, will maintain its legal responsibility for ensuring that QHPs meet all QHP certification standards.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Cohen", written over the printed name.

Gary Cohen, Director

Center for Consumer Information and Insurance Oversight

cc: Paul LePage, Governor