



Office of Commissioner of
Insurance and Safety Fire

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JOHN F. KING
*Commissioner of Insurance
and Safety Fire*

Two Martin Luther King Jr. Drive
West Tower, Suite 702
Atlanta, Georgia 30334

December 29, 2025

VIA ELECTRONIC MAIL

The Honorable Robert F. Kennedy Jr.
Secretary of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

The Honorable Scott Bessent
Secretary of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

stateinnovationwaivers@cms.hhs.gov

RE: State of Georgia Letter of Intent for Section 1332 State Innovation Waiver Extension

Dear Secretary Kennedy and Secretary Bessent,

Pursuant to the provisions of Section 1332 of the Patient Protection and Affordable Care Act (ACA) and the implementing regulations at 31 CFR Part 33 and 45 CFR Part 155, the State of Georgia hereby submits this Letter of Intent to apply for a five-year extension of its approved State Innovation Waiver, which currently authorizes the Georgia Reinsurance Program.

The State's current 1332 waiver was approved on November 1, 2020, for a period of five years, effectively covering plan years 2022 through 2026. Through this extension request, Georgia intends to continue the operation of its successful claims-based reinsurance program to ensure ongoing market stability, premium affordability, and expanded coverage options for Georgians.

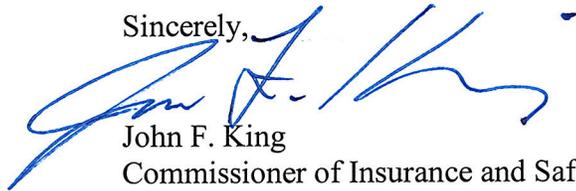
Overview and Impact of the Reinsurance Program: Since its implementation in 2022, the Georgia Reinsurance Program has been a cornerstone of our efforts to lower costs for consumers in the individual market and incent issuers to expand coverage across the State. In 2025, the program contributed to a statewide average premium reduction of 10%, with rural and high-cost regions seeing even more significant relief. These efforts, combined with the successful launch of our State-Based Exchange, Georgia Access, have resulted in record-breaking enrollment figures, with approximately 1.3 million Georgians enrolled in high-quality health plans for 2025.

Compliance with Statutory Guardrails: The State of Georgia remains committed to the four statutory guardrails of Section 1332. Our proposed extension will continue to:

1. Provide Coverage at Least as Comprehensive: Benefits will remain consistent with the Essential Health Benefits (EHB) benchmark.
2. Provide Coverage at Least as Affordable: Reinsurance will continue to lower premiums, reducing the net cost of coverage for unsubsidized enrollees and the federal government.
3. Cover a Comparable Number of Residents: By maintaining lower premiums, the program prevents market attrition and encourages new enrollment.
4. Ensure Federal Deficit Neutrality: Reinsurance will continue to reduce federal spending on premium tax credits. The State is requesting federal savings continue to be passed through to fund the program, without increasing the federal deficit

Next Steps: The Office of the Commissioner of Insurance and Safety Fire (OCI) will facilitate the formal application process, including the required state public notice and comment period, public hearings, and the submission of an extension application and actuarial and economic analyses. We look forward to working closely with your team at the Department of Health and Human Services and the Department of the Treasury to ensure a seamless transition into the extension period.

Sincerely,



John F. King

Commissioner of Insurance and Safety Fire
State of Georgia

CC: Steve Mander, Deputy Commissioner – Georgia Office of Commissioner of Insurance and Safety Fire
Jeremy Betts, Executive Counsel - Georgia Office of Commissioner of Insurance and Safety Fire
Peter Nelson, Deputy Administrator and Director - Center for Consumer Information and Insurance Oversight, Centers for Medicare & Medicaid Services

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Consumer Information and Insurance Oversight
200 Independence Avenue SW
Washington, DC 20201



February 10, 2026

VIA ELECTRONIC MAIL: jking@oci.ga.gov

Gen. John F. King
Commissioner
Georgia Office of the Commissioner of Insurance and Safety Fire
Two Martin Luther King Jr. Dr.
West Tower, Suite 702
Atlanta, Georgia 30334

Dear Commissioner King:

Thank you for your December 29, 2025, letter of intent (LOI) to apply for an extension of Georgia's State Innovation Waiver (section 1332 waiver) under Section 1332 of the Affordable Care Act (ACA). I am sending this letter from the Center for Consumer Information and Insurance Oversight (CCIIO) within the Centers for Medicare & Medicaid Services (CMS) under the Department of Health and Human Services (HHS), as well as on behalf of the Department of the Treasury (collectively, "the Departments").

The Departments acknowledge that Georgia (also referred to as the "State") has informed them at least one year prior to the waiver's end date, as required by the specific terms and conditions (STCs) governing the State's waiver,¹ of the State's intent to apply for continuation of the waiver. The Departments confirm that the State's anticipated section 1332 waiver application, as described below, may be submitted and will be reviewed as a waiver extension request. The requirements for the State's waiver extension application are enclosed with this letter. If the extension is approved, the Departments may determine that the waiver extension will be subject to additional or revised requirements, which will be provided in the extension STCs.

The State's currently approved waiver of the ACA requirement for the single risk pool contained in ACA section 1312(c)(1) allows the State to operate a state-based reinsurance program for the individual health insurance market from January 1, 2022, through December 31, 2026. As described in the LOI, the State seeks to waive ACA section 1312(c)(1) for an additional waiver period of five years from January 1, 2027, through December 31, 2031. The State aims to continue implementing its section 1332 waiver to ensure ongoing market stability, premium affordability, and expanded coverage options for its residents.

¹ See STC 10. The applicable STCs are available here: https://www.cms.gov/cciiio/programs-and-initiatives/state-innovation-waivers/section_1332_state_innovation_waivers-/1332-ga-approval-letter-stcs.pdf

A waiver extension is an extension of the existing waiver terms and does not propose any changes to the existing waiver that are not otherwise allowable under the State's STCs, or that could impact any of the section 1332 statutory guardrails or program design. Given that the State has not indicated any intentions to change any features of its waiver plan (except for the extended time period), the State may proceed with submitting an application for a waiver extension. The Departments encourage the State to submit its waiver extension application sufficiently in advance of the requested waiver effective date, ideally no later than the first quarter of 2026.

The enclosed document further outlines the application requirements for the State's waiver extension. Once the Departments receive the State's waiver extension application, they will conduct a preliminary review to determine if the application is complete or will identify if elements are missing from the application by written notice. Please note, the State is not authorized to implement any aspect of the proposed waiver extension without prior written approval by the Departments. This letter does not constitute any pre-determination nor an intent to approve or disapprove the State's proposed extension request.

Please send your acknowledgement of this letter and any communications and questions regarding program matters or official correspondence concerning the waiver to Meril Pothen at Meril.Pothen@cms.hhs.gov or stateinnovationwaivers@cms.hhs.gov.

We look forward to working with you and your staff. Please do not hesitate to contact us if you have any questions.

Sincerely,



Peter Nelson
Deputy Administrator and Director, Center for Consumer Information & Insurance Oversight
Centers for Medicare & Medicaid Services

CC: Kenneth Kies, Assistant Secretary, Tax Policy, U.S. Department of the Treasury
The Honorable Brian P. Kemp, Governor, State of Georgia
Jeremy Betts, Executive Counsel, Georgia Office of the Commissioner of Insurance and Safety Fire (OCI)
Chad DaBella, Chief Financial Officer, OCI
Denim Grzesik, Reinsurance Program Analyst, OCI

Enclosure

Specific Requirements for Georgia's Waiver Extension Application

The Departments will conduct a preliminary review of Georgia's (the "State") waiver extension application and make a preliminary determination as to whether it is complete within approximately 30 days after it is submitted to stateinnovationwaivers@cms.hhs.gov. If the Departments determine that the application is complete, the application will be made public through the HHS website, and a 30-day federal public comment period will commence while the application is under review. If the Departments determine that the application is not complete, the Departments will send the State a written notice of the elements missing from the application. The State's waiver extension application must include the following:

- (1) A detailed description of the extension request, including the desired time period for the extension. The State must confirm there are no changes to its currently approved waiver plan for the new waiver period that are otherwise not allowable under the state's STCs, or that could impact any of the section 1332 statutory guardrails or program design. The state should include a timeline and discussion of implementation of the waiver plan during the extension period. For an application for an extension of an approved waiver plan with no change, the State may restate that there is no change to the implementation plan provided in its initial waiver application.
- (2) Updated economic or actuarial analyses and certifications for the extension period. Such analyses should address any changes that have occurred since approval of the State's current waiver plan in state or federal law, regulations, or sub-regulatory guidance, the state insurance market, or to the waiver program that are allowable under the STCs and impact waiver assumptions and projections. The narrative should also explain any proposed technical changes the State has not previously shared with the Departments via its reporting requirements.

If there have been no significant policy changes impacting the assumptions used to create the 10-year budget in the State's most recent application, the assumptions that go into the analyses may only need to be updated for the second 5 years of a 10-year budget (i.e., a table with updated projections and assumptions).

For state reinsurance waivers, the economic and actuarial analyses should include, at a minimum, for both the with-waiver and without-waiver baseline scenarios, 5-year projections for:

- Total Exchange enrollment including:
 - Subsidized (i.e., advanced premium tax credit (APTC)) enrollment on the Exchange;
 - Unsubsidized enrollment on the Exchange;
- Enrollment off the Exchange, to the extent available;
- Statewide average second lowest cost silver plan (SLCSP) premiums (aggregate and per member per month (PMPM)) (note: rating area-level premium data is not required for waiver extension applications);
- Statewide average gross and net premiums (aggregate and PMPM);
- APTC (aggregate and PMPM);
- State funding for the waiver plan;
- State reinsurance reimbursements, if applicable; and

- Pass-through funding (e.g., federal premium tax credit (PTC) savings net any offsets, such as increased user fees), if applicable.
- (3) A list of provision(s) of the law that the State seeks to waive and reasons for the specific request(s). For an extension application based on the current waiver plan with no change, the State may simply restate that there is no change to the provision(s) waived as provided in its most recent approved waiver plan.

If the State is seeking pass-through funding, include an explanation of how the waiver plan would result in individuals or employers qualifying for less federal financial assistance (e.g., PTCs, small businesses tax credits, or cost-sharing reductions) under the proposed waiver than without the waiver. Also explain how the State plans to use the pass-through funding.

- (4) Preliminary evaluation data and analysis of observable outcomes from the existing waiver program, including quantitative or qualitative information describing why the State believes the program did or did not meet the statutory guardrails. For example, the State should provide information comparing the originally projected impact of the waiver to the actual outcomes observed (e.g., premiums, enrollment, expected claims reimbursements).
- (5) Evidence of sufficient authority under state law(s) in order to meet the ACA section 1332(b)(2)(A) requirement for purposes of pursuing the requested extension.
- (6) An explanation and evidence of the process to ensure meaningful public input on the extension request, which must include:
- a. For a state with one or more Federally recognized Indian tribes within its borders, providing a separate process for meaningful consultation with such tribes, and providing written evidence of the State's compliance with this requirement;
 - b. Publicly posting the submitted LOI on the State's website to ensure that the public is aware that the State is contemplating a waiver extension request; and
 - c. Publicly posting the waiver extension application on the State's website upon its submission of the waiver extension application to the Departments.

For a waiver extension application, the State does not have to meet all of the public notice requirements specified for new waiver applications in 31 C.F.R. § 33.112 and 45 C.F.R. § 155.1312 (e.g., holding two public hearings and providing a 30-day comment period) to fulfill paragraph (6) above. However, the State must ensure and demonstrate there was an opportunity for meaningful public input on the extension request. For example, the State may choose to hold one public hearing or provide an amended or shorter comment period, or some combination of both. If the State holds one public hearing, it can use its annual public forum for the dual purposes of gathering input on the existing waiver as well as the extension application request.

- (7) The Departments may request additional information and/or analysis to evaluate and reach a decision on the requested extension.