

State-Mandated Policies: Approved Applications for Waiver of the Annual Limits Requirements

January 6, 2012

In some States, issuers are required to offer standardized policies with specific annual dollar limits established by State law. These State-mandated annual limits are below the minimum annual limit set by HHS. In such instances, States may apply for a waiver of the annual dollar limit requirements on behalf of issuers of State-mandated policies if State law required the policies to be offered by the issuers prior to September 23, 2010. Although the State may apply on the issuers' behalf, the application must still satisfy the standard that compliance of the annual dollar limit requirements by the issuers would result in a "significant decrease in access to benefits" or a "significant increase in premiums."

On [September 3, 2010](#) the Centers for Medicare & Medicaid Services (CMS) announced the initial waiver process, allowing plans to receive a one year waiver for plan or policy years with a start date between September 23, 2010 and September 23, 2011.

On [June 17, 2011](#), the Centers for Medicare & Medicaid Services (CMS) issued subsequent guidance to conclude the annual limits waiver process. This guidance allowed plans that received one year waivers to extend those waivers through 2013, contingent on applicants submitting annual information about their plan and complying with requirements to ensure that their enrollees understand the limits of their coverage. The June 17, 2011 guidance also allowed any plans that had not yet applied for a waiver under the initial waiver policy to apply for one, good through 2013. All applications were due September 22, 2011.

The June 17, 2011 guidance leaves three categories of plans that applied for and received waivers:

1. Plans that received a one year waiver under the initial policy that also received an extension under the June 17, 2011 policy.
2. Plans that received a one year waiver under the initial policy that did not apply for an extension under the June 17, 2011 policy.
3. Plans that did not apply for a one year waiver under the initial policy but did apply for, and receive one, good through 2013, under the June 17, 2011 policy.

To capture these three categories, the list below is separated into two sections.

Section A includes every plan that received a one year waiver under the initial policy. Plans without an asterisk applied for, and received, an extension (category 1 from above). Plans with an asterisk did not apply for an extension (category 2 from above).

Section B lists plans that did not apply for a one year waiver under the initial policy but did apply for, and received, a waiver good through 2013. (category 3 from above).

Section A: Section A includes every plan that received a one year waiver under the initial policy. Plans with an asterisk did not apply for an extension. Plans without an asterisk applied for, and received, an extension. Plans must submit annual information about their plan and comply with requirements to ensure that their enrollees understand the limits of their coverage.

	Applicant	City**	State	Application Date	Plan Effective Date	Number of Enrollees	Application Completed	Waiver Date
1	CoverTN	Nashville	TN	9/17/2010	1/1/2011	20,205	9/17/2010	10/12/2010
	Blue Cross Blue Shield of TN				1/1/2011	20,205		
2	New Jersey Basic and Essential Plans			11/19/2010	9/23/2010	68,435	11/19/2010	12/17/2010
	Aetna				9/23/2010	285		
	Amerihealth				9/23/2010	4,111		
	Celtic Insurance Company				9/23/2010	1		
	CIGNA				9/23/2010	2		
	HealthNet				9/23/2010	13		
	Horizon BC/BS of NJ				9/23/2010	55,127		
	Oxford Health Insurance				9/23/2010	8,896		
3	Ohio Basic and Standard Policies*	Columbus	Ohio	11/23/2010 11/24/2010	1/1/2011	1,286	11/23/2010 11/24/2010	1/3/2011 1/9/2011
	Aetna Health Inc				1/1/2011	231		
	American Medical Security Life Ins Co.				1/1/2011	2		
	American Natl Life Ins Co of TX				1/1/2011	1		
	American Republic Insurance Company				1/1/2011	5		
	Celtic Insurance Company				1/1/2011	1		

	Applicant	City**	State	Application Date	Plan Effective Date	Number of Enrollees	Application Completed	Waiver Date
	Community Ins. Co.				1/1/2011	92		
	Companion Life Ins. Co.				1/1/2011	0		
	Coventry Health & Life Ins. Co.				1/1/2011	18		
	Freedom Life Ins. Co. of America				1/1/2011	3		
	Golden Rule Ins. Co.				1/1/2011	25		
	Health Plan the Upper OH Valley				1/1/2011	57		
	Humana Ins. Co.				1/1/2011	46		
	Independence American Ins. Co.				1/1/2011	2		
	John Alden Life Ins. Co.				1/1/2011	0		
	Kaiser Foundation Health Plan of Ohio				1/1/2011	347		
	Madison National Life Ins. Co.				1/1/2011	4		
	McKinley Life Ins. Co.				1/1/2011	25		
	Medical Mutual of OH				1/1/2011	74		
	Mennonite Mutual Aid Association				1/1/2011	3		
	Mid West National Life Ins Co. of TN				1/1/2011	0		
	National Found Life Ins. Co.				1/1/2011	0		
	Pekin Life Ins. Co.				1/1/2011	161		
	Reserve National Ins. Co.				1/1/2011	0		
	Standard Life & Accident Ins. Co.				1/1/2011	0		
	Standard Security Life Ins. Co. of NY				1/1/2011	4		

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	Summa Ins Co. Inc.				1/1/2011	154		
	Time Ins. Co.				1/1/2011	13		
	World Ins. Co.				1/1/2011	18		
4	Cover Florida	Tallahassee	FL	11/4/2010	1/1/2011	6,388	12/16/2010	2/18/2011
	Blue Cross Blue Shield				1/1/2011	4,550		
	Florida Health Care Plans				1/1/2011	260		
	JMH				1/1/2011	121		
	Medica				1/1/2011	637		
	Total Health Choice				1/1/2011	26		
	United Health Care				1/1/2011	794		
	Total Enrollment					96,314		

Section B: Section B lists plans that did not apply for a one year waiver under the initial policy but did apply for, and received, a waiver good through 2013, under the June 17, 2011 policy. Plans must submit annual information about their plan and comply with requirements to ensure that their enrollees understand the limits of their coverage.

	Applicant	City**	State	Application Date	Plan Effective Date	Number of Enrollees	Application Completed	Waiver Date
1	New York State Section 3221(g) Conversion Plan	Statewide	NY	02/04/2011	09/23/2010	2,856	6/21/2011 7/12/2011 8/16/2011	7/13/2011 7/14/2011 8/17/2011
	Aetna Life Insurance Company				09/23/2010	1,107		
	American Medical and Life Insurance Company				09/23/2010	386		
	BCS Insurance Company				09/23/2010	8		
	Connecticut General Life Insurance Company				09/23/2010	252		
	Group Health Incorporated (GHI)				09/23/2010	2		
	Empire HealthChoice Assurance, Inc.				09/23/2010	15		
	First Allmerica Financial Life Insurance Company				09/23/2010	46		
	Gerber Life Insurance Company				09/23/2010	3		
	Hartford Life Insurance Company				09/23/2010	17		
	Lincoln Life and Annuity Company				09/23/2010	95		

	Applicant	City**	State	Application Date	Plan Effective Date	Number of Enrollees	Application Completed	Waiver Date
	Metropolitan Life				09/23/2010	54		
	Mutual of Omaha				09/23/2010	3		
	Principal Life Insurance				09/23/2010	2		
	Prudential Insurance Company of America				09/23/2010	26		
	Unicare Life and Health Insurance Company				09/23/2010	32		
	Union Labor Life Insurance Company of New York				09/23/2010	63		
	The Union Security Life Insurance Company of New York				09/23/2010	25		
	United Health Care Insurance Company of New York				09/23/2010	508		
	Guardian Life Insurance Company of America				09/23/2010	212		
	Total Enrollment					2,856		

*Waiver not extended; expires one year after plan effective date.

**Please note that the city and state correspond only to the address stated on the application and may not reflect the location of the applicant's enrollees.