

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



May 28, 2021

VIA ELECTRONIC MAIL: michael.conway@state.co.us

Michael Conway
Commissioner of Insurance
Colorado Division of Insurance
1560 Broadway, Suite 850
Denver, CO 80202

Dear Commissioner Conway:

Thank you for your submission on April 30, 2021 of Colorado's waiver extension application for a State Innovation Waiver under section 1332 of the Patient Protection and Affordable Care Act (ACA). Colorado'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, 2020 through December 31, 2021. Colorado's waiver extension plan seeks to waive ACA section 1312(c)(1) and continue implementation of its state reinsurance program for an additional five years, for plan years 2022 through 2026. Colorado is not otherwise seeking to make changes to its section 1332 reinsurance waiver program. Consistent with the next steps outlined in the Department of Health and Human Services' and the Department of the Treasury's (collectively, the Departments) December 28, 2020 letter¹, the Departments have conducted a preliminary review of the waiver extension application and have made a preliminary determination that Colorado's waiver extension application is complete.

As provided in the December 28, 2020 letter, the date of this letter marks the beginning of the 30-day Federal public notice and comment process. Public comments on Colorado's application will be accepted by the Departments from May 28, 2021 through June 27, 2021. More information about the Federal public notice and comment process can be found on the CCIIO website.² The decision of the Departments regarding approval or denial of Colorado's waiver extension application will be issued within 90 days of this preliminary determination of completeness in accordance with section 1332(e) of the ACA.

We look forward to working with you on your waiver extension application and will be in touch if we need additional information. Please do not hesitate to contact us if you have any questions.

¹ <https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Downloads/1332-CO-LOI-Extension-Response-Letter.pdf>

² https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_state_Innovation_Waivers-.html

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Grant". The signature is written in a cursive style with a long horizontal stroke extending to the left.

Jeffrey Grant
Acting Director
Center for Consumer Information & Insurance Oversight
Centers for Medicare & Medicaid Services

Cc: Mark Mazur, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury
Jared Polis, Governor, State of Colorado