

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 12, 2024

VIA ELECTRONIC MAIL: rwhitley@dhhs.nv.gov

Richard Whitley
Director
Nevada Department of Health and Human Services
400 West King Street, Suite 300
Carson City, NV 89703

Dear Director Whitley:

Thank you for your submission on December 29, 2023, of Nevada's application for a State Innovation Waiver under section 1332 of the Affordable Care Act (ACA). Nevada's application seeks to waive the ACA requirements for the single risk pool contained in ACA section 1312(c)(1) for plan years 2026 through 2030 to allow the state to implement plan-level rating variation(s) for public option plans known as Battle Born State Plans and a Market Stabilization Program¹ for the individual health insurance market. I am pleased to send 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 have completed a preliminary review of the application in accordance with 45 C.F.R. § 155.1308(c) and 31 C.F.R. § 33.108(c) and have made a preliminary determination that Nevada's application is complete.

Pursuant to 45 C.F.R. § 155.1308(d) and 31 C.F.R. § 33.108(d), the date of this letter marks the beginning of the Federal public notice and comment process and 180-day Federal decision-making period. Public comments on Nevada's waiver application will be accepted by the Departments from February 12, 2024, through March 13, 2024, and more information about the Federal public notice and comment process and section 1332 waivers generally can be found on the CCIIO website.² The decision of the Departments regarding approval or denial of Nevada's waiver application will be issued within 180 days of this preliminary determination of completeness in accordance with 45 C.F.R. § 155.1316(c), 31 C.F.R. § 33.116(c), and other applicable regulations.

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

¹ The Market Stabilization program would include a reinsurance program, a quality incentive program, and Practice in Nevada provider loan repayment program.

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 "Jeff Wu". The signature is fluid and cursive, with the first name "Jeff" being more prominent than the last name "Wu".

Jeff Wu

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

CC: Aviva Aron-Dine, Assistant Secretary for Tax Policy, U.S. Department of the Treasury
The Honorable Joe Lombardo, Governor, State of Nevada
Stacie Weeks, Administrator, Division of Health Care Financing Policy, Nevada Department
of Health and Human Services