

Publications

HHS Releases Notice of Benefit and Payment Parameters for 2019 Proposed Rule

ATTORNEYS & PROFESSIONALS

Jon Breyfogle

jbreyfogle@groom.com

202-861-6641

Lisa Campbell

lcampbell@groom.com

202-861-6612

Tamara Killion

tkillion@groom.com

202-861-6328

Seth Perretta

sperretta@groom.com

202-861-6335

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On October 27, 2017, the Centers for Medicare and Medicaid Services at the U.S. Department of Health and Human Services (“HHS”) released the Notice of Benefit and Payment Parameters (“NBPP”) for 2019 Proposed Rule (“Proposed Rule”). 82 Fed. Reg. 51052 (Nov. 2, 2017). The Proposed Rule addresses a range of issues and proposes greater state flexibility in a number of areas, including essential health benefits (“EHB”), medical loss ratio (“MLR”), rate review, and state certifications of qualified health plans (“QHPs”) in the Federally-facilitated Exchanges (“FHEs”) and State-based Exchanges using the federal platform (“SBE-FPs”). The Proposed Rule also proposes changes to risk adjustment and risk adjustment data validation (“RADV”) programs, special enrollment periods (“SEPs”), Exchange user fees, the annual limitation on cost sharing levels for 2019, and Exchange programs, including changes to the Small Business Health Options Program (“SHOP”).

Along with the Proposed Rule, HHS released: (1) the draft Actuarial Value calculator and methodology for 2019; (2) draft guidance proposing new options EHB benchmark selection; and (3) draft guidance for issuers to begin adopting the proposed changes for SHOP, which would start at the beginning of plan year 2018

Comments on the Proposed Rule are due November 27, 2017.

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