

Publications

Pre-Existing Condition Insurance Plan Program- Interim Final Rule

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SERVICES

The Department of Health and Human Services (HHS) has issued an interim final rule relating to the Pre-Existing Condition Insurance Plan program (the Rule). 45 CFR 45014 (July 30, 2010). The Rule implements a temporary program to provide health insurance coverage to uninsured individuals with pre-existing conditions. Created by the Patient Protection and Affordable Care Act (PPACA), this Pre-Existing Condition Insurance Plan program, known as “PCIP,” will be run through contracts with States or eligible non-profit entities. The Rule addresses how the PCIP will be administered, eligibility requirements, premiums, appeals, and oversight. Significantly, the Rule prohibits health insurance issuers from encouraging high-risk individuals to disenroll from existing coverage and seek coverage through the PCIP. The Rule is effective immediately, and comments are due by September 28, 2010. The PCIP will terminate on January 1, 2014, and PCIP enrollees will transition to coverage within the insurance exchanges. Please see the attached memo for further information.