

**Potential discussion topics related to options
for rules of individual and employer participation in the Exchange**

Individuals

- Should limits be put on individuals' ability to "buy up" or "buy down" metal levels of coverage from one open enrollment period to the next?
 - Alternatively – or in addition to this – should there be a substantial fee imposed for moving up more than a permissible metal level jump? Could have a differential fee for a bronze to platinum than from bronze to gold.
 - How do laws/practices around accumulation of deductibles/out of pocket maximums affect this issue?
 - Can incentives be built in for healthier individuals to opt into more comprehensive plans to begin with?
- What options could be considered for an individual who enrolls in an individual product and whose coverage is terminated due to non-payment of premiums?
 - Federal regulations provide a three-month grace period for non-payment of premiums for individuals receiving premium tax credits. During this time, a carrier must pay claims for the first month and pend claims from the second and third months. If the individual does not pay all outstanding premiums by the end of the three months, coverage is terminated back to the last day of the first month. Should a fee be assessed on an individual who did not pay a premium for the first month of the 3-month grace period for individuals receiving premium tax credits when that individual attempts to purchase coverage at the next open enrollment period?
 - Are there any other circumstances under which it would be appropriate to impose a fee on an individual who did not carry coverage for the most of/all of the previous year and wants to buy an individual product?

Employers

- Should employers be required to ensure a certain percentage of their employees participate?
- Are there remaining issues to consider regarding association plans and PEOs?