



Request for Comment Regarding Notice of Benefit and Payment Parameters for 2014 and Establishment of the Multi-State Plan Program

Agency: Joint agency request by the Minnesota Departments of Commerce and Health, and the Minnesota Health Insurance Exchange.

- On November 30, 2012, the U.S. Department of Health and Human Services issued proposed rules on benefit and payment parameters for 2014
- On November 30, 2012, the Office of Personnel Management issued proposed rules on the Multi-State Plan Program

Summary of Proposed Rules:

1. Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2014

This proposed rule provides further detail and parameters related to: the risk adjustment, reinsurance, and risk corridors programs; cost-sharing reductions; user fees for a Federally-facilitated Exchange; advance payments of the premium tax credit; a Federally-facilitated Small Business Health Option Program; and the medical loss ratio program. The cost-sharing reductions and advanced payments of the premium tax credit, combined with new insurance market reforms, will significantly increase the number of individuals with health insurance coverage, particularly in the individual market. The premium stabilization programs—risk adjustment, reinsurance, and risk corridors—will protect against adverse selection in the newly enrolled population. These programs, in combination with the medical loss ratio program and market reforms extending guaranteed availability (also known as guaranteed issue) protections and prohibiting the use of factors such as health status, medical history, gender, and industry of employment to set premium rates, will help to ensure that every American has access to high-quality, affordable health insurance.

The proposed rule can be found at this link:

<http://www.gpo.gov/fdsys/pkg/FR-2012-12-07/pdf/2012-29184.pdf>

2. Patient Protection and Affordable Care Act; Establishment of the Multi-State Plan Program for the Affordable Insurance Exchanges

The U.S. Office of Personnel Management (OPM) issued a proposed rule to implement the Multi-State Plan Program (MSPP). OPM is establishing the MSPP pursuant to the



Patient Protection and Affordable Care Act, as amended by the Health Care and Education Reconciliation Act of 2010, referred to collectively as the Affordable Care Act. Through contracts with OPM, health insurance issuers will offer at least two multi-State plans (MSPs) on each of the Affordable Insurance Exchanges (Exchanges). Under the law, an MSPP issuer may phase in the States in which it offers coverage over four years, but it must offer MSPs on Exchanges in all States and the District of Columbia by the fourth year in which the MSPP issuer participates in the MSPP. OPM aims to administer the MSPP in a manner that is consistent with State insurance laws and that is informed by stakeholders. The purpose of this proposed regulation is to outline the process by which OPM will establish the MSPP, pursuant to section 1334 of the Affordable Care Act.

The proposed rule can be found at this link:

<http://www.gpo.gov/fdsys/pkg/FR-2012-12-05/pdf/2012-29118.pdf>

Request for Comments: This request identifies a broad set of content areas of interest related to the proposed rules. This is a request for comment regarding the aforementioned proposed rules to assist the Departments in preparing formal responses. Comments are requested on all parts of the proposed rules and will be most useful if they are organized by the paragraph of the proposed rules to which they apply.

Date Requested: On or before 5pm central time on Wednesday, December 19, 2012.

How to Send Comments: Send written comments to HealthReform.MN@state.mn.us and write “Benefit and Payment Parameters” or “Multi-State Plan Program” in the subject line of the email.