

**Patient Protection and Affordable Care Act  
HHS Notice of Benefit and Payment Parameters for 2018**

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Summary of Proposed Rules and Guidance, and  
Connect for Health Colorado's Comments

September 22, 2016

A. Proposed Regulations			
	Section of Regulation Affected	Proposed Rule	C4HCO's Position and Comment
1.	45 CFR § 155.20; FR 61492	Numerous standardized plan designs are proposed for use by states and carriers that choose to participate in standardized plan options (Meaningful Choice).	Support. Learning from HHS' standard plans may help us evaluate our own future involvement with offering standard plans.
2.	45 CFR § 155.205; FR 61495-96	The proposed rule reiterates Guidance that was issued earlier this year regarding language access requirements.	Support. Due to earlier guidance, Connect for Health Colorado has already been working on implementing these changes.
3.	45 CFR § 155.230(d)(2); FR 61500	The proposed rules would specify that electronic notices would be the default method for sending required SHOP notices, although the rule also allows flexibility to send notices through standard mail if the SHOP is unable to send them electronically.	Support. Allowing flexibility for noticing ensures that notices will be provided, despite possible technological limitations.
4.	45 CFR § 155.330(d)(1)(ii); FR 61501-02	The proposed rule would allow Exchanges to determine whether to use eligibility-level data or enrollment-level data for redeterminations.	We seek clarity as to how this rule would operate with 45 CFR § 155.305(f)(ii)(B), which requires that eligibility for Advance Premium Tax Credits (APTC) hinges upon ineligibility for Minimum Essential Coverage (MEC).
5.	45 CFR § 155.330; FR 61501-02	HHS is proposing that, in light of the complexities surrounding eligibility redeterminations during a benefit year, that Exchanges could propose alternative or custom solutions to these challenges.	Support. We support having the option to propose our own, Colorado-specific solution to these issues.
6.	45 CFR § 155.400(e)(2); FR 61502	The proposed rule would give Exchanges the discretion to allow issuers who are having billing or enrollment problems due to high volume or technical errors to implement a reasonable extension of binder payment deadlines.	Neutral. Carriers can best determine whether and how such a policy would affect their operations.

7.	45 CFR § 155.420; FR 61502-03	The proposed rule codifies certain Special Enrollment Periods (SEPs) that were previously only outlined in guidance regarding exceptional circumstances.	Neutral. This is a codification of existing practice surrounding guidance.
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B. Comment Due Date			
	Comments are due by October 6, 2016		