

TO: Rules and Regulations Review Board Committee, Connect for Health Colorado

FROM: John Barela, Implementation Manager, Connect for Health Colorado

DATE: July 22, 2013

RE: **Comments on Notice of Proposed Rulemaking on Information Reporting for Affordable Insurance Exchanges**

Connect for Health Colorado (the Marketplace) staff has reviewed the Notice of Proposed Rulemaking on Information Reporting for Affordable Insurance Exchanges. Based on discussions with IRS officials, Marketplace staff recommends requesting an additional delay in initial reporting. Marketplace staff also recommends asking for a more limited set of data to be reported.

Marketplace staff has had discussions with IRS in which IRS has requested when to begin initial monthly reporting. The IRS staff has indicated that they believe that reporting should start 60 days following open enrollment. This time frame would give the Marketplace and issuers sufficient time to enable an accurate reporting of the enrollments from the open enrollment period. For plan years 2015 and beyond, the first reporting period would be February 15th of the plan year. However, for plan year 2014, this would imply a June 15th initial reporting date.

Marketplace staff believes the additional time provided by requesting a June 15th date will be valuable. The initial guidance on some of the reporting requirements indicates that some of the data structures will be complex to develop. The additional time will give Marketplace staff and partners time to focus on serving Colorado customers during the beginning of the open enrollment period before working on developing this IRS report.

The Marketplace staff recommends asking for a more limited data set to be transmitted to the IRS. Specifically the Marketplace staff does not believe that transmitting the policy number or the employer information is beneficial to Coloradans. Marketplace staff does not believe that either information is accurately captured by the Marketplace or provides value in eliminating fraud waste and abuse.