

Proposed Rule: 2023 Payment Notice

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Notice of Benefit & Payment Parameters for 2023

- **Context**
 - Notice and Comment Rulemaking
 - Administrative Procedure Act
 - Proposed Rule
- **Timeline**
 - Publication Date: Jan. 5, 2022
 - Comment Window End: Jan. 27, 2022
- **Effective Date: Plan Year 2023**

Proposed Rule

- Continuation of the FFE user fee at 2.75% and SBE-FP user fee at 2.25% for the 2023 benefit year.
- Mandatory proration functionality for all SBEs anytime there is a mid-month coverage start or end date (for the 2024 benefit year).
- Transition to a risk-based Employer Sponsored Coverage (ESC) Verification process.
- Reversed interpretation of Guaranteed Issue requirements.

Proposed Rule (continued)

- Ending pre-enrollment Special Enrollment Period (SEP) Verification in the FFM and SBM-FPs for all SEP types with the exception of the loss of minimum essential coverage.
- More expansive considerations for renewals cross- mapping/walking.
- Mandatory participation in a State Exchange Improper Payment Measurement Program.

Proposed Rule (continued)

- Increased standards regarding Web-Broker display of plans and recommendations, including a prohibition on issuer advertising.
- Updated standards of conduct for Brokers and Web-Brokers at the FFM and in SBE-FPs.
- Health and Health Care Disparities as a new mandatory component of Quality Improvement Strategy (QIS) standards for issuers.
- Express inclusion of sexual orientation and gender identity as protected groups for nondiscrimination purposes.

Proposed Rule (continued)

- Premium Adjustment Percentage updated to 1.4408%.
- Maximum Annual Limitation on Cost Sharing updated to \$9,100 for self-only coverage and \$18,200 for family coverage (4.6% increase).
- Required Contribution Percentage update to 8.17% (.08 percentage point increase).
- A requirement that FFM and SBE-FP issuers offer standardized plans at every product network type and metal level throughout the service areas they operate in for the 2023 benefit year.

- **Timeline**
 - Comment Period ends Jan. 27, 2022
 - Review and Finalization
- **New Focus**
 - Nondiscrimination
 - Health Equity
 - Program Integrity

Questions