



# 2016 Redetermination and Re-enrollment Basics for Assisters



*Center for Consumer  
Information and  
Insurance Oversight*

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**Please note:** These slides summarize highly technical regulatory requirements. Due to their summary nature, they cannot capture all nuance and detail concerning relevant legal requirements. All legal requirements are contained in the applicable statutes and regulations; this presentation does not constitute law and is intended for general informational purposes only.

# Today's Presentation

The content in this presentation only relates to coverage in the individual market, and describes how assisters can help consumers with the renewal and re-enrollment process for 2016 in the Federally-facilitated Marketplaces (FFM or Marketplace) or State-Partnership Marketplaces (SPM).

Processes in State-based Marketplaces may differ. For specific instructions, please contact your state.

# Agenda

- 2016 Open Enrollment
- 2016 Redetermination and Re-enrollment
- Note for benefit year 2017
- What Assisters Can Do Now
- Test Your 2016 Re-Enrollment Knowledge
- Related Guidance and Resources

# 2016 Open Enrollment

- During 2016 Open Enrollment (Nov. 1, 2015-Jan. 31, 2016):
  - New applicants will be able to apply and, if eligible, select qualified health plans (QHPs) and stand-alone dental plans (SADPs) offered through the Marketplace.
  - Current enrollees are strongly encouraged to come back to the Marketplace to ensure they receive the accurate amount of financial assistance and either select the same plan (if available) or select a new plan if they wish to do so.
  - However, like last year, current enrollees will be automatically enrolled in plans whenever possible if they do not return to the Marketplace and select a plan by 12/15/2015.

# 2016 Redetermination and Re-enrollment

- The Marketplace redetermines a consumer's eligibility for Marketplace coverage and financial assistance on an annual basis
- Consumers who do not come back to the Marketplace and select a plan during open enrollment generally are automatically re-enrolled into the same QHP, when possible, or if not, into another QHP offered by the same issuer
- For consumers who are auto re-enrolled, the amount of financial assistance they receive depends on the most recent information available to the Marketplace

# 2016 Redetermination and Re-enrollment: New Policies

- **NEW:** The FFM will **use the newest income data available** to redetermine advance payments of the premium tax credit (APTC) and cost-sharing reductions (CSR) for enrollees who do not return to the Marketplace to update their application information and select a plan by December 15, 2015.
- **NEW:** For the first time, the Marketplace will **discontinue APTC/CSR for enrollees who received APTC but did not comply with the requirement to file an income tax return and reconcile APTC** (or if the tax filer did not reconcile on the enrollee's behalf).
  - CMS is working with IRS on the communication and outreach strategy to consumers on how to notify them of this condition and the steps to take to remedy the issue.

# 2016 Redetermination and Re-enrollment: Re-enrollment without APTC/CSR

The Marketplace generally will automatically re-enroll the following groups **without APTC/CSR**:

- Enrollees for whom updated tax information shows an annual household income **above 500% of the Federal Poverty Level (FPL)**.
  - Note: CMS is working with IRS on the communication and outreach strategy to consumers on this issue.
- Enrollees receiving APTC/CSR who **did not authorize the Marketplace to request updated tax information** (or for whom the tax filer did not give this authorization).
- Enrollees receiving APTC/CSR who **did not comply with the requirement to file their taxes and reconcile APTC for the year it was provided** (or if the tax filer did not reconcile on the enrollee's behalf).

# 2016 Redetermination and Re-enrollment: Re-enrollment with APTC/CSR

For other enrollees who do not return to the Marketplace to update their information and select a plan by December 15, 2015, and who do not fall into one of the three discontinuation of APTC/CSR categories (previous slide), the **Marketplace will generally auto re-enroll them with APTC/CSR based on the following information, as available:**

1. Enrollees' projected 2015 household income information, adjusted to 2016
  - For enrollees whose projected 2015 household income, adjusted to 2016, is below 100% FPL (except for certain noncitizens), the Marketplace will use enrollees' most recent IRS household income information.



# 2016 Redetermination and Re-enrollment: Re-enrollment with APTC/CSR (Cont'd)

2. Enrollees' most recent IRS household income information, adjusted to 2016, if projected 2015 household income information is not available
  - Enrollees whose IRS household information, adjusted to 2016, shows income above 400% FPL will be auto re-enrolled without APTC/CSR. For enrollees whose IRS household information, adjusted to 2016, is below 100% FPL (except for certain noncitizens), the Marketplace will use enrollees' projected 2014 household income information, adjusted to 2016.
3. Enrollees' projected 2014 household income information, adjusted to 2016, if projected 2015 household income and more recent IRS household income information is not available

In all cases, eligibility for APTC and CSR will be redetermined using updated FPL tables and benchmark plan premium information.

# 2016 Redetermination and Re-enrollment: Changes after January 1, 2016

- Like last year, enrollees who are auto re-enrolled will still be able to come back to the Marketplace, update their information, and select a plan before the end of Open Enrollment on January 31, 2016.
  - Remember, all accumulators (e.g. deductibles), will reset for all enrollees at the beginning of the new plan year on January 1, 2016.
- After 2016 coverage begins:
  - Consumers who later make an active plan selection to stay in the **same plan**, with the same subscriber, and update their information will not have their plan's accumulators reset again after the initial January 1, 2016 reset.
  - Consumers who **change plans** or subscribers may have all of their accumulators reset again.

# 2016 Redetermination and Re-enrollment: Notices

- Like last year, enrollees will receive two notices prior to Open Enrollment:
  - Marketplace Open Enrollment Notice
  - Issuer Notice
- **New** this year, Marketplace Open Enrollment Notices will only be sent to enrollees (not consumers who were determined eligible but did not enroll in a plan).
  - The Marketplace may reach out to consumers who were determined eligible but did not enroll in a plan in other ways.

# 2016 Redetermination and Re-enrollment: Notices (Cont'd)

## Marketplace Open Enrollment Notice:

- Description of the annual redetermination and re-enrollment process
- Reminder to report changes that might affect eligibility
- The last day enrollees can select a plan for coverage beginning January 1, 2016 (December 15, 2015), and the last day of open enrollment for 2016 coverage (January 31, 2016).
- A description of how their eligibility for APTC/CSR will be redetermined if they do not return to the Marketplace to update their information.

# 2016 Redetermination and Re-enrollment: Notices (Cont'd)

## Issuer Notice (Key Requirements):

- Indicate the plan into which the enrollee will be auto re-enrolled if the enrollee does not return and select a new plan.
  - Enrollees who do not make a plan selection by December 15, 2015 generally will automatically be re-enrolled into the same QHP they had in 2015, if available, or if not, into another QHP offered by the same issuer.
- Any key changes to benefits and cost-sharing between the 2015 and 2016 plans.
- Information about the APTC the enrollee will receive.

# 2016 Redetermination and Re-enrollment: Notices (Cont'd)

- Like last year, enrollees who are auto re-enrolled will also receive a Marketplace eligibility determination and an enrollment confirmation message explaining the results of the redetermination and re-enrollment process.

# A Note for Benefit Year 2017

- For enrollees who were auto re-enrolled both for benefit year 2015 and 2016 with APTC/CSR, and did not return to update their application for either year, and for whom the IRS has no income information for 2014 or 2015, the **Marketplace will discontinue their APTC/CSR for benefit year 2017** if they do not return to update their information by December 15, 2016.
- CMS will begin messaging this well in advance of Open Enrollment for benefit year 2017. Stay tuned for more information.

# What Assisters Can Do Now

- **Help consumers report life changes to the Marketplace within 30 days of the change.** For example, consumers who experience a change in income, move, get married, or have a baby must report these changes *as they occur*, rather than waiting until the next Open Enrollment Period to update their applications.
- **Encourage consumers who received APTC in 2014 to file their 2014 federal income taxes and reconcile their APTC,** even if they missed the filing deadline.



# What Assisters Can Do Now (Cont'd)

- **Help consumers understand the significance of checking the box at the end of the application that allows the Marketplace to request updated income information from the IRS for the next 5 years.** As with any time enrollees report a change in their application, they must continue to enrollment to confirm their plan selection.

To make it easier to determine my eligibility for help paying for health coverage in future years, I agree to allow the Marketplace to use income data, including information from tax returns, for the next 5 years (the maximum number of years allowed). The Marketplace will send me a notice, let me make any changes, and I can opt out at any time.

- Agree
- Disagree

This is important because consumers who do not authorize the Marketplace to request this information generally **will be auto re-enrolled without APTC/CSRs** unless they come back to the Marketplace and get an updated eligibility determination.

# What Assisters Can Do Now (Cont'd)

- Consumers who didn't authorize the Marketplace to request updated income information from the IRS in their initial application can **report a life change to return to the application and check "agree" to this question** at the end of the application.
- Consumers who have **concerns about privacy** can:
  - Learn more about how the Marketplace uses their information here: <https://www.healthcare.gov/how-we-use-your-data/>
  - Access a privacy statement here: <https://www.healthcare.gov/individual-privacy-act-statement/>
- **Remind consumers to return to the Marketplace during Open Enrollment.** Providing updated household information, obtaining an updated eligibility determination, and browsing available plans may help consumers find the best options for their family, and make sure they're getting the right amount of financial assistance.

# Test Your 2016 Re-Enrollment Knowledge

- **True or False:** Consumers who received APTC/CSR in 2014, but didn't file their 2014 federal income taxes in 2015, generally will automatically be re-enrolled for 2016 coverage with APTC/CSR based on the income information in their most recent application.

# Test Your 2016 Re-Enrollment Knowledge

- **True or False:** Consumers who received APTC/CSR in 2014, but didn't file their 2014 federal income taxes in 2015, generally will automatically be re-enrolled for 2016 coverage with APTC/CSR based on the income information in their most recent application.
- **FALSE.** New this year, the Marketplace will discontinue APTC/CSR for enrollees who received APTC in 2014 but did not comply with the requirement in 2015 to file a federal income tax return and reconcile APTC.

# Test Your 2016 Re-Enrollment Knowledge

- **True or False:** Enrollees receiving APTC/CSR who did not authorize the Marketplace to request updated tax information from the IRS generally will automatically be re-enrolled without APTC/CSR unless they return to the Marketplace to get an updated eligibility determination.

# Test Your 2016 Re-Enrollment Knowledge

- **True or False:** Enrollees receiving APTC/CSR who did not authorize the Marketplace to request updated tax information from the IRS generally will automatically be re-enrolled without APTC/CSR unless they return to the Marketplace to get an updated eligibility determination.
- **TRUE.** Assistors should help new applicants and existing enrollees understand the significance of checking the box at the end of the application to authorize the Marketplace to request updated tax information from the IRS.

# Related Guidance and Resources

- Guidance on Annual Eligibility Redeterminations and Re-enrollments for Marketplace Coverage for 2016:  
<http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/annual-redeterminations-for-coverage-42215.pdf>
- Final Rule: Annual Eligibility Redeterminations for Exchange Participation and Insurance Affordability Programs (amending 45 CFR 155.335 and adding 45 CFR 156.1255) (published 9/5/14): <http://www.gpo.gov/fdsys/pkg/FR-2014-09-05/pdf/2014-21178.pdf>