



*The Commonwealth of Massachusetts
Commonwealth Health Insurance Connector Authority
100 City Hall Plaza
Boston, MA 02108*

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NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

Published by the Commonwealth Health Insurance Connector online February 2, 2016
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Pursuant to its authority under St. 2015, ch. 119 § 20, the Commonwealth Health Insurance Connector Authority (Health Connector) announces its intent to submit a request for a State Innovation Waiver (Waiver Request) under Section 1332 of the Patient Protection and Affordable Care Act of 2010 (Affordable Care Act) to the U.S. Department of Health and Human Services (HHS) on or after March 7, 2016. This notice amends a previous notice of public hearing and opportunity to comment, published via the *Massachusetts Register* on January 29, 2016, with updated information regarding the dates of the written public comment period.

1. Opportunities for Public Comment

The Health Connector welcomes public comment on its Waiver Request, as detailed below.

Publicly Available Materials

Materials describing the Waiver Request, including a draft waiver application, may be obtained on the Health Connector's website: <https://betterhealthconnector.com/about/policy-center/state-innovation-waiver/>. Additional updates and final submissions to HHS will also be posted on this website. Paper copies of the documents may be obtained in person by request from 9:00 AM through 5:00 PM EST at the Health Connector, 100 City Hall Plaza, 6th Floor, Boston, MA 02108.

Open Public Hearings

The Health Connector will host two public hearings on the proposed Waiver Request. All persons desiring to be heard on these matters should appear at the designated place and time. The meeting details are as follows:

- The first public hearing will be held on **Friday, February 5, 2016** from **2:30 PM through 3:30 PM EST**. (The hearing may extend later, if members of the public sign in to provide comment prior to 3:30 p.m. and additional time is needed to hear these comments). This hearing will be held at the **One Ashburton Place, Boston, MA on the 21st Floor**. Directions are available here: http://www.mass.edu/meetings/documents/DirectionsandParking_OneAshburtonPlace.pdf.
- The second public hearing will be held on **Friday, February 19, 2016** from **11:00 AM through 12:00 PM** (The hearing may extend later, if members of the public sign in to provide comment prior to 12:00 PM and additional time is needed to hear these comments). This hearing will be held at **Springfield Technical**

Community College, One Armory Square, Building 2 (Scibelli Hall), Springfield, MA in the Top of Our City Conference Center, Rooms 703-704. Directions are available here: <http://www.stcc.edu/wd/directions.asp>. Campus map is available here: <http://www.stcc.edu/vtour/campusmap.pdf>.

Members of the public are encouraged to arrive at the beginning of the hearing to sign in. Members of the public are also encouraged to bring a written copy of their testimony for the record. For other rules regarding the conduct of the hearings, please see: <https://www.mahealthconnector.org/wp-content/uploads/rules-and-regulations/PublicHearingGuidelines.pdf>.

To request a reasonable accommodation in order to attend and/or participate in the public hearing, please contact: Emily Brice, Senior Advisor for State Innovation Waivers: StatelInnovations@MassMail.State.MA.US, 617-933-3156. If you need an interpreter or other assistive device, please provide at least two (2) business days advance notice to the Health Connector stating the type of accommodation needed.

Written Public Comment Period

The Health Connector will accept public comments on the proposed Waiver Request through 5:00 PM EST on Friday, March 4, 2016. Written comments may be delivered by e-mail or mail. By e-mail, please send comments to: StatelInnovations@MassMail.State.MA.US and include "Comments for 1332 Waiver Request" in the subject line. By mail, please send comments to: Emily Brice, Commonwealth Health Insurance Connector Authority, 100 City Hall Plaza, 6th Floor, Boston, MA 02108. Comments must be received by 5:00 PM EST on Friday, March 4, 2016 in order to be considered.

2. Summary of Waiver Request

For over a decade, the Commonwealth of Massachusetts has embraced innovation and reform in its health insurance market. In 2006, Massachusetts enacted landmark health reform legislation that yielded the highest rate of insurance in the nation. In 2010, Massachusetts welcomed national health reform under the Affordable Care Act as an opportunity to strengthen its previous reforms.

Massachusetts now seeks to enhance these important gains with its request for a State Innovation Waiver under Section 1332 of the Affordable Care Act. Massachusetts appreciates the Affordable Care Act's recognition that in some cases, local circumstances may merit a state-specific approach to supporting the overall goals of the law. Massachusetts seeks this flexibility to maintain a unique feature of its insurance market that has proven successful in promoting access to coverage for small employers and their employees: the Commonwealth's version of a merged market, which allows continuity between non-group and small group insurance while retaining limited traditional characteristics of a small group market.

Specifically, Massachusetts will request waiver authority to narrowly modify the federal definition of a merged market to retain two characteristics of small group plans within the merged market:

- Rolling enrollment – Currently, Massachusetts allows health insurance issuers to offer enrollment and renewal to small groups on a rolling basis throughout the year. Massachusetts will request permission to continue this long-standing practice, which offers flexibility for small employers and prevents the market disruption that could occur with a transition to the calendar year approach required by the Affordable Care Act.
- Quarterly rate filing – Currently, Massachusetts allows health insurance issuers to refresh their premium rates for small group plans quarterly, in addition to the annual filings of the broader merged market.

Massachusetts will request permission to continue this long-standing practice, which helps promote greater affordability for employers than a calendar-year approach and supports rolling enrollment.

These policies would align with current market practices, as well as the options available in the majority of other states. Absent a waiver on these topics, the Commonwealth would need to ensure that all aspects of its merged market meets federal requirements by January 1, 2018, including transitioning to a calendar year enrollment and rating cycle. This could contribute to overly-conservative pricing and market disruption, such as shortened plan years that impact enrollees' annual out-of-pocket accruals.

3. State Assurances

Massachusetts anticipates that its proposal will meet the safeguards set forth in Section 1332 of the Affordable Care Act. The Commonwealth provides the following assurances related to its Waiver Request:

- Equivalent or greater scope of coverage. The Commonwealth's proposal will not decrease the number of Massachusetts residents covered nor the number of Massachusetts employers offering coverage. The Commonwealth does not anticipate any disproportionate coverage impacts on vulnerable populations due to the proposed waiver.
- Equivalent or greater affordability of coverage. The Commonwealth's proposal will not increase the costs of health insurance for its residents or employers. The Commonwealth does not anticipate any disproportionate cost impacts on vulnerable populations due to the proposed waiver.
- Equivalent comprehensiveness of coverage. The Commonwealth's proposal will not decrease the comprehensiveness of benefits for Massachusetts residents or employers. The Commonwealth does not anticipate any disproportionate benefit impacts on vulnerable populations due to the proposed waiver.
- Federal deficit neutral. The Commonwealth's proposal will not result in increased federal spending, net of federal revenues, in any one year or in total over the ten-year budget period.

Additional details of Massachusetts' request are available at:

<https://betterhealthconnector.com/about/policy-center/state-innovation-waiver/>

To get this information in English **large print**, call 617-933-3156. **TTY: 1-877-623-7773.**

Important! This has important information about your health insurance. If you want the information translated into your own language, call **617-933-3156**.

¡Importante! Esto tiene información importante sobre su seguro de salud. Si usted quiere la información traducida a su propio idioma, llame al **617-933-3156**.

Spanish

សំខាន់! គ្រូ រៀន ប្រយោជន៍ ព័ត៌មាន សំខាន់ អំពី ធានារ៉ាប់ រ៉ង់ សុខភាព របស់ អ្នក។ បបសិ្ថ លេបី អ្នក ចង់ បាន ព័ត៌មាន ប្រយោជន៍ ជា ភាសា របស់ អ្នក សូម ទូរស័ព្ទ មក លេខ **617-933-3156**។ Cambodian

重要提示：該文件載有關於您的醫療保險的重要資訊。如果您想要將相關資訊翻譯為您的母語，請致電 **617-933-3156**。

Traditional Chinese

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Simplified Chinese

Enpòtan! Sa a gen enfòmasyon enpòtan ou asirans sante ou. Si w vle nou tradwi enfòmasyon an nan pwòp lang ou rele **617-933-3156**.

Haitian Creole

ສິ່ງສຳຄັນ! ນີ້ມີຂໍ້ມູນສຳຄັນກ່ຽວກັບການປະກັນໄພສຸຂະພາບຂອງທ່ານ. ຖ້າທ່ານຕ້ອງການຂໍ້ມູນຂ່າວສານເຂົ້າໃນການແປພາສາໂທຫາ **617-933-3156** ຂອງຕົນເອງຂອງທ່ານ. Laotian

Importante! Neste pacote há informações importantes sobre o seu seguro-saúde. Se quiser que as informações sejam traduzidas para o seu idioma, ligue para **617-933-3156**.

Brazilian Portuguese

Importante! Contém informações importantes sobre o seu seguro de saúde. Se desejar a tradução das informações para a sua língua, contacte-nos pelo telefone **617-933-3156**.

European Portuguese

Важная информация! Здесь содержится важная информация о Вашем медицинском страховании. Если Вы хотите, чтобы информация была переведена на Ваш родной язык, позвоните по номеру: **617-933-3156**.

Russian

Lưu ý quan trọng! Đây là thông tin quan trọng về bảo hiểm y tế của quý vị. Nếu quý vị muốn có bản dịch thông tin này bằng ngôn ngữ của quý vị, hãy gọi số **617-933-3156**.

Vietnamese

هام! يتضمن هذا معلومات مهمة عن تأمينك الصحي. إذا كنت تريد ترجمة المعلومات إلى لغتك فاتصل برقم **617-933-3156**.

Arabic