



Silver State Health Insurance Exchange

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MEMORANDUM

DATE: August 18, 2021

TO: Silver State Health Insurance Exchange / Nevada Health Link Internal and External Stakeholders

FROM: Silver State Health Insurance Exchange Policy Unit

SUBJECT: Special Enrollment for Nevada Consumers to align with the end of American Rescue Plan Act (ARPA) COBRA Premium Assistance for 2021

Purpose: To provide guidance regarding Silver State Health Exchange (SSHIX) Special Enrollment Period (SEP) with loss of Minimum Essential Coverage (MEC) as it relates to the ending of the ARPA COBRA premium assistance on September 30, 2021.

Summary and Background: On March 11, 2021, President Joe Biden signed into law a stimulus bill under the American Rescue Plan Act (ARPA), which allowed for the federal government to pay 100% of COBRA insurance premiums for eligible employees who lost their jobs and for their covered relatives from April 1 through September 30, 2021. In response to the ending of COBRA premium assistance, SSHIX will allow Nevada consumers who lose access to their COBRA plan and/or COBRA premium assistance to qualify for a Special Enrollment Period on Nevada Health Link for the duration of plan year 2021.

Guidance and Instructions:

1. Nevada consumers who lose premium assistance or lose COBRA coverage for any reason during the 2021 plan year should be advised to utilize a Qualifying Life Event (QLE) selection of Loss of Minimum Essential Coverage ("Loss of MEC") when applying for Exchange coverage during a Special Enrollment Period (SEP).
2. Consumers will be required to provide verification of COBRA coverage at any point during the 2021 plan year, and Call Center staff will approve said evidence as valid for the loss of MEC QLE verification. Examples of verification documents include, but are not limited to, notification of COBRA enrollment, notification of COBRA loss, or notification of COBRA billing/fees. All regularly accepted verification documents for this QLE will be processed as normal.

Policy Considerations:

1. Consumers who involuntarily lose COBRA coverage eligibility, due to time limitations of coverage must be allowed a Special Enrollment Period (SEP) for Loss of MEC as mandated by 45 CFR 155.420(d)(1).
2. Consumers who lose affordability of COBRA coverage once the federal premium assistance terminates will be treated as Exceptional Circumstance (EC) SEP enrollees by the Exchange, based on 45 CFR 155.420(d)(9). These consumers will still be guided to use the loss of MEC QLE selection.
3. The decision to include both types of consumers listed above as Loss of MEC in the NVHL platform is due to the Exceptional Circumstances caused by the COVID pandemic. The uniform use of the Loss of MEC for all COBRA loss consumers is in the best interests of consumers. It will avoid confusion in messaging as well as platform functionality while minimizing consumer gaps in coverage.

Reference:

1.1 of the Special Enrollment Period (SEP)

https://dlq4hslcl8rmbx.cloudfront.net/assets/uploads/2020/10/NVHL_Policy_Manual_v2_Final.pdf