LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

BULLETIN 2015-03

TO: ALL HEALTH INSURANCE ISSUERS AND HEALTH MAINTENANCE ORGANIZATIONS

FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE

RE: EXTENSION OF TRANSITIONAL RELIEF FOR NON-GRANDFATHERED COVERAGE UNDER THE ACA FOR THE 2016 POLICY/PLAN YEAR

DATE: February 23, 2015

On March 5, 2014, the Centers for Medicare and Medicaid Services (CMS) issued notice that transitional relief for non-grandfathered plans would be extended for an additional two years—for policy/plan years beginning on or before October 1, 2016—at the option of state insurance commissioners. The Louisiana Department of Insurance (LDI) issued prior guidance on the utilization of transitional relief by health insurance issuers and health maintenance organizations (issuers) through Bulletin No. 2013-07 (Revised) on November 27, 2013, and authorized an additional year of transitional relief for the 2015 policy/plan year on April 22, 2014 in Bulletin No. 2014-04.

All issuers are hereby advised pursuant to the Commissioner's authority in La. R.S. 22:1095(F) that transitional relief for non-grandfathered coverage is authorized for the 2016 policy/plan year for policies in effect on or before October 1, 2016, consistent with the guidelines established under the aforementioned bulletins of the LDI and guidance issued by CMS. Issuers should consult such prior guidance to ensure compliance with the enforcement of state and federal law as well as notice requirements for policyholders. Issuers shall give notice to the LDI of their intent to utilize transitional relief for the 2016 policy/plan year by May 15, 2015.

The extension of transitional relief also applies to large employers that currently purchase insurance in the large group market but that, as of January 1, 2016, would become small employers under La. R.S. 22:1091 and section 1304(b) of the Affordable Care Act. Such affected employers may renew their current policies through policy/plan years beginning on or before October 1, 2016, without their policies being considered out of compliance with state or federal laws as enumerated in the aforementioned guidance.

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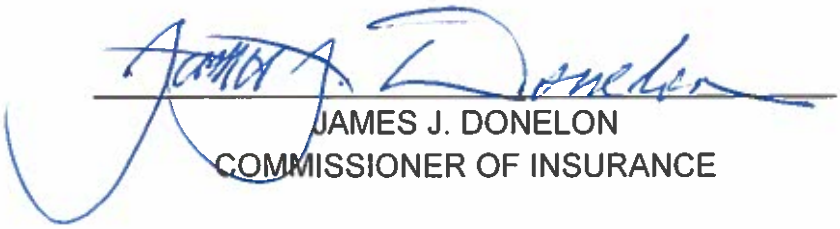
For questions regarding Bulletin 2015-03, please contact the Louisiana Department of Insurance, Office of Health Insurance, by telephone at (225) 342-1355.

Baton Rouge, Louisiana, this 23rd day of February 2015.



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