

Overview of R-2015-10: Health plan special enrollment rules

Highlights of changes:

- **New special enrollment categories** – The Office of the Insurance Commissioner (“OIC”) wrote the current special enrollment regulations in 2013. Since then, the federal government has added additional categories. This rulemaking process will add those new categories to the regulations. Here are some examples:
 - Consumers now have a special enrollment opportunity when an individual market plan ends mid-year, even if the issuer offers to renew the plan; and
 - On a case-by-case basis – but not automatically – consumers may now have a special enrollment opportunity if they experience a serious medical condition or natural disaster
- **Confusing information** – When the OIC originally wrote the regulation, there were a few issues that we explained in a manner that can be difficult to understand. This has led to confusion and, in some instances, even to conflicting interpretations. As part of this rulemaking process, we’re going to address those issues by clarifying the rule language.
- **Scope of authority** – The CR 101 for this rule gives the OIC the right to update the state regulations to add the new federal special enrollment categories and to clarify ambiguous or confusing language in the current regulation. However, it’s important to note that the scope of the CR 101 that the OIC filed on 7/17/15 does not give the OIC the authority to create new, state-specific special enrollment categories.

Stakeholder input

- Stakeholders are welcome to submit written comments on this rule to Bianca Stoner at the OIC Rules Coordinator mailbox (rulesc@oic.wa.gov)
- In addition, the OIC will hold a stakeholder meeting this fall at the OIC headquarters building in Tumwater. Closer to the meeting date, the OIC will announce the date and time of the meeting and will share a stakeholder draft through the GovDelivery listserv and on the webpage for this rule.

Anticipated date the rule will go into effect: Before the end of the next regular open enrollment period, which is January 31, 2016.