CCIIO Updates List of Group Insurance Products for Benchmarking Essential Health Benefits

July 12, 2012

Pursuant to the Affordable Care Act, non-grandfathered health plans or insurance policies offered on one of the state exchanges are required to cover essential health benefits beginning in 2014. Guidance released by the Department of Health and Human Services in December 2011 provided that states would have flexibility in selecting an existing health plan to set the ?ÃÂ£benchmark?ÃÂ¥ for items and services that must be included as essential health benefits. The Center for Consumer Information and Insurance Oversight recently released guidance which, among other things, updated the three largest small group insurance products ranked by enrollment for each state and provided lists of the three largest nationally available Federal Employee Health Benefit Program plans, both of which could serve as a benchmark to determining essential health benefits. It is important to remember that self-insured group health plans that are not grandfathered under the Affordable Care Act in 2014 will be required to provide minimum essential coverage that is affordable in order for the employer to avoid the shared responsibility penalty (tax), and that such plans are not mandated to provide essential health benefits. If the employer provides insured coverage that is not grandfathered, the insurance policies will be required to provide essential health benefits and meet the minimum essential coverage requirement. A copy of the guidance is available here.

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