Final HHS Rule Delays Implementation of Some SHOP Provisions

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The Department of Health and Human Services (?ÃÂ£**HHS**?ÃÂ¥) recently released a final rule related to the Small Business Health Options Program (?ÃÂ£**SHOP**?ÃÂ¥) under PPACA.?Ã¡ Specifically, the final rule implements a transitional policy regarding employees?ÃÃ choice of qualified health plans (?ÃÂ£**QHPs**?ÃÂ¥) in SHOP and amends existing regulations regarding special enrollment periods for qualified employees and their dependents.?Ã¡ First, the final rule delays until 2015 the requirement that a SHOP must permit qualified employers to offer their qualified employees a choice of QHPs within a single level of coverage, (*i.e.,* bronze, silver, gold, or platinum).?Ã¡ For 2014, a SHOP can either allow employers to offer their employees a range of QHPs or a single QHP; federally-facilitated SHOPs will simply allow employers to offer their employees a single QHP from the choices available in the SHOP.?Ã¡ HHS stated that the transitional policy is intended to provide small businesses and their employees with the benefits of SHOP while providing additional time to prepare for an employee choice model and to increase the stability of the small group market.?Ã¡ Second, the final rule changes SHOP?ÃÃs special enrollment period to 30 days for most triggering events so that SHOP?ÃÃs special enrollment period better aligns with those established by the Health Insurance Portability and Accountability Act of 1996, or HIPAA.?Ã¡ However, SHOP?ÃÃs special enrollment period is 60 days if an employee or dependent becomes eligible for premium assistance under Medicaid or the Children?ÃÃs Health Insurance Program (?ÃÂ£**CHIP**?ÃÂ¥) or loses eligibility for Medicaid or CHIP.?Ã¡ The final rule can be found **here**.?Ã¡ A draft of the employer application for SHOP coverage can be found?Ã¡**here**.?Ã¡ A draft of the employee application for SHOP coverage can be found **here**