

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
Center for Consumer Information and Insurance Oversight  
200 Independence Avenue SW  
Washington, DC 20201



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May 17, 2018

**VIA ELECTRONIC MAIL:** [Jillian.Froment@insurance.ohio.gov](mailto:Jillian.Froment@insurance.ohio.gov)

Jillian Froment  
Director  
Ohio Department of Insurance  
50 W. Town St., Ste. 300  
Columbus, OH 43215

Dear Director Froment:

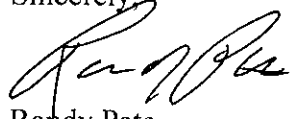
Thank you for your submission on March 30, 2018 of Ohio's application for a State Innovation Waiver under section 1332 of the Patient Protection and Affordable Care Act (PPACA). Ohio seeks to waive §5000A(a) of the Internal Revenue Code (IRC) for 2019 and future years. The Department of Health and Human Services and the Department of the Treasury (collectively, the Departments) have completed a review of the application in accordance with 45 CFR 155.1308(c). The Departments have determined that your application is not complete for the reasons outlined below.

PPACA §1332(a)(1)(B)(i) requires a state seeking a waiver to submit an application with a comprehensive description of a program to implement a plan meeting the requirements for a waiver. PPACA §1332(b)(1) provides that a State plan, among other things, must provide coverage that is at least as comprehensive and affordable as that provided under Title I of PPACA, and must provide coverage to at least a comparable number of its residents as the provision of Title I of PPACA would provide. The application from the State of Ohio does not include a description of any program implementing a waiver plan for providing coverage that meets section 1332 requirements. The application therefore does not comply with §1332(a)(1)(B)(i).

In addition, 45 CFR 155.1308(f)(3)(iii) requires the state to describe the reason for the waiver request. The application does not include a description of the reason that the state is seeking to waive IRC §5000A(a). For this reason and those described above, the Departments determined that the application is not complete.

We are happy to work with states to revise and re-submit their waiver applications. All state applications received will be reviewed on a rolling-basis, in accordance with the statute and our regulations. Please do not hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Pate", written in a cursive style.

Randy Pate

Director, Center for Consumer Information & Insurance Oversight  
Deputy Administrator, Centers for Medicare & Medicaid Services

Cc: David Kautter, Assistant Secretary for Tax Policy, U.S. Department of the Treasury  
Governor John Kasich, Governor, State of Ohio  
Carrie Haughawout, Deputy Director, Ohio Department of Insurance