

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



October 23, 2017

VIA ELECTRONIC MAIL: Louis.Gutierrez@state.ma.us

Louis Gutierrez
Executive Director
Massachusetts Health Connector
100 City Hall Plaza, Boston, MA 02108

Dear Director Gutierrez:

Thank you for your submission on September 8, 2017, of Massachusetts' application for a State Innovation Waiver under Section 1332 of the Patient Protection and Affordable Care Act (PPACA). Massachusetts' application seeks to waive acceptance of cost-sharing reduction (CSR) payments and instead establish a Premium Stabilization Fund (PSF) to stabilize premiums via direct issuer reimbursement. The waiver would be effective January 1, 2018. The Department of Health and Human Services (HHS) and the Department of the Treasury (collectively, the Departments) have completed a review of the application in accordance with 45 CFR 155.1308(c), and we have made a determination that your application cannot be found to be complete under 45 CFR 155.1308(f).

Pursuant 45 CFR 155.1308(f), in order for an application to be deemed complete must comply with paragraphs (a) through (f) section under section 155.1308. Sub section (b) states that an application for initial approval of a section 1332 waiver must be submitted sufficiently in advance of the requested effective date to allow for an appropriate implementation timeline. Given that the waiver was submitted less than two months prior to the beginning of the 2018 open enrollment period and, if the application were deemed complete, the Federal public comment period would not end until after the beginning of open enrollment, the Departments have determined that there is not sufficient time to implement the proposed waiver.

The review of this waiver will not impact the evaluation of future Section 1115 waiver submissions by Massachusetts.

Please do not hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Pate". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

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
Audrey Morse Gasteier, Chief of Policy and Strategy, Commonwealth Health Insurance
Connector Authority