



Date: November 19, 2020
From: Lourdes Grindal-Miller, Director, Marketplace Plan Management Group
Title: Proposed Qualified Health Plan (QHP) Plan Year 2022 Data Submission Timeline
Subject: DRAFT Bulletin: Proposed Timing of QHP Data Submission and Certification for the 2022 Plan Year for Issuers in the Federally-facilitated Exchanges

I. Purpose

The Centers for Medicare & Medicaid Services (CMS) is releasing this draft bulletin for comment. This bulletin proposes the submission deadlines under 45 CFR 155 subpart K for health insurance issuers applying to offer qualified health plans (QHPs) on the Federally-facilitated Exchanges (FFE).

The Patient Protection and Affordable Care Act (PPACA) and applicable regulations provide that health plans, including stand-alone dental plans (SADPs), must meet a number of standards in order to be certified as QHPs. Several of these are market-wide standards that apply to plans offered in the individual and small group markets, both inside and outside of the Exchanges. The remaining standards are specific to health plans seeking QHP certification from the Exchanges. The proposed dates in this bulletin would apply to all states in which an FFE operates, which include: 1) states performing plan management functions and making QHP certification recommendations to CMS, 2) states where CMS is performing all plan management functions and certifying QHPs while the state is enforcing the market-wide standards under the PPACA, and 3) direct enforcement states where CMS is performing plan management functions and enforcing market-wide standards under the PPACA (but the state continues to enforce state law requirements with which issuers must comply). Some of the proposed dates included in this bulletin would also apply to issuers in State-based Exchanges on the Federal Platform (SBE-FPs); additional information on these requirements will be provided in future guidance. Issuers should refer to these dates to help them successfully participate in any such Exchange in 2022.

In accordance with 45 CFR Part 155 subpart K, CMS will review, and approve or deny, QHP applications from issuers that are applying to offer QHPs on the FFEs. CMS will not conduct QHP certification reviews of plans that are submitted for offering only outside of the FFEs, except for SADPs seeking off-Exchange certification. The FFEs will not display ancillary insurance products and health plans that are not QHPs (e.g., stand-alone vision plans, disability, or life insurance products). The FFEs will only offer QHPs, including SADPs.

II. Proposed QHP Data Submission and Certification Timeline for Plan Year 2022

Table 1 lists proposed key plan year 2022 (PY22) dates for QHP certification applications and related data submissions. Additional information about the PY22 QHP certification process will be provided in future guidance.

As in prior years, issuers will submit a complete QHP application for all plans they intend to have certified in a state in which an FFE is operating. Through an iterative process as shown in Table 1, CMS will review QHP applications for current and new issuers applying for QHP certification in an FFE. Issuers may have their QHP application denied if they fail to meet the applicable deadlines, or if their applications are not accurate or complete after the deadline for issuer submission of changes to the QHP application.¹

New for PY22, the QHP Data Submission and Certification Timeline includes additional dates associated with SADP Voluntary Reporting of Intent to Offer, Quality Rating, and the QHP Enrollee Survey activities. These activities already take place and no new requirements are reflected here, but certain deadlines related to those activities are now also included in this timeline.

Table 1. Proposed QHP Data Submission and Certification Timeline for Plan Year 2022

Activity	Dates
Stand-alone Dental Plan Voluntary Reporting of Intent to Offer	2/15/21
QHP Application submission window opens	4/22/21
Optional Early Bird QHP Application submission deadline	5/19/21
2021 QHP Enrollee Survey data submission deadline	5/19/21
CMS reviews Early Bird QHP Application data and releases results in the PM Community	5/20/21 – 6/11/21
HHS-approved QHP Enrollee Survey vendor securely submits the QHP Enrollee Survey response data to CMS on behalf of the QHP issuer ²	5/24/21
QHP issuer submits the validated QRS clinical measure data, with attestation, to CMS via NCQA's Interactive Data Submission System (IDSS) ³	6/15/21
Machine-readable index URL submission deadline; initial machine-readable data posting for PY2022 deadline	6/16/21
Initial QHP Application deadline, including Transparency in Coverage and Plan ID Crosswalk data	6/16/21
CMS reviews initial QHP Applications and releases results in the PM Community	6/17/21 – 7/16/21
Initial deadline for QHP Application Rates Table Template; optional deadline to resubmit corrected QHP Application data	7/21/21
CMS reviews initial submission of Rates Table Template and resubmitted QHP Application data, and releases results in the PM Community	7/22/21 – 8/13/21
QHP issuers, Exchange administrators, and CMS preview the 2021 QHP quality rating information	August/September 2021
Service area data change request deadline	8/10/21
Issuers complete final plan confirmation and submit final Plan ID Crosswalk Templates in the PM Community	8/11/21 – 8/25/21
Deadline for issuers to change QHP Application, including Transparency in Coverage data	8/18/21
CMS reviews QHP Applications and releases results in the PM Community	8/19/21 – 9/13/21
CMS sends QHP Certification Agreements to issuers	9/14/21
Issuers return signed QHP Certification Agreements to CMS	9/14/21 – 9/22/21
States complete final plan confirmation in the PM Community	9/14/21 – 9/22/21
Limited data correction window	9/16/21 – 9/17/21

¹ Regulations at 45 CFR 155.1000 provide Exchanges with broad discretion to certify QHPs that otherwise meet the QHP certification standards specified in Subpart C of Part 156, and afford Exchanges the discretion to deny certification of QHPs that meet minimum QHP certification standards, but are not ultimately in the “interest” of qualified individuals and qualified employers.

² QRS and QHP Enrollee Survey Technical Guidance for 2021, available at <https://www.cms.gov/files/document/quality-rating-system-and-qualified-health-plan-enrollee-experience-survey-technical-guidance-2021.pdf>.

³ Each QHP issuer must submit and plan-lock its QRS clinical measure data by June 3 to allow the HEDIS® Compliance Auditor sufficient time to review, approve, and audit-lock all submissions by the June 15 deadline. There are no fees for QHP issuers associated with accessing and using the IDSS.

Activity	Dates
New plan year machine-readable submission deadline	9/22/21
CMS releases certification notice to issuers and states	10/4/21 – 10/5/21
Anticipated public display of QHP quality rating information	11/1/21
Open Enrollment begins	11/1/21

III. CMS Qualified Health Plan Application

Information and instructions about the process for issuers to complete a QHP application are made available annually at <https://www.qhpcertification.cms.gov>.

IV. Where to submit comment

To submit comments on the proposed timelines outlined herein for QHP data submission and certification, please contact CMS at QHP_Applications@cms.hhs.gov with the subject line, “QHP Submission Timeline Comment” on or before **December 21, 2020**.