

U.S. House and Senate Notification  
Monday, January 14, 2013

To: Congressional Health Staff

From: Lauren Aronson  
Director, Office of Legislation  
Centers for Medicare & Medicaid Services

Re: HHS Releases Proposed Rule on Medicaid, CHIP and Health Insurance Marketplaces

Today, the Department of Health and Human Services (HHS) released a proposed rule implementing key Affordable Care Act provisions relating to Medicaid and the Exchanges. This proposed rule codifies statutory eligibility provisions, lays out a structure and options for coordinating Medicaid, the Children's Health Insurance Program (CHIP), and Exchange eligibility notices and appeals. It also proposes to modify existing benchmark benefits regulations for low-income adults, and codify several of the provisions included in the Children's Health Insurance Program Reauthorization Act (CHIPRA).

This proposed rule includes information on how consumers will receive coordinated communications on eligibility determinations and can appeal eligibility determinations. It gives states flexibility in designing benefits and determining cost sharing in the Medicaid program. The proposed rule also provides flexibility to state-based Exchanges by allowing them to opt to rely on HHS for verifying whether an individual has employer-sponsored coverage and conducting some types of appeals.

The NPRM is available on display at the Federal Register here:  
[http://www.ofr.gov/OFRUpload/OFRData/2013-00659\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2013-00659_PI.pdf)

A fact sheet with additional information regarding the changes made through this proposed rule will be available on [www.Medicaid.gov](http://www.Medicaid.gov) and <http://cciio.cms.gov/> later today.

If you have any questions, please contact the CMS Office of Legislation at 202-690-8220.