

U.S. House and Senate Notification

Wednesday, March 26, 2014

To: Congressional Health Staff

**From: Jennifer Boulanger
Deputy Director, Office of Legislation
Centers for Medicare & Medicaid Services**

Re: Special Enrollment Periods in the Marketplace

Today the Centers for Medicare and Medicaid Services (CMS) issued guidance related to special enrollment periods (SEPs) in the Marketplace. An SEP allows a consumer to enroll in health coverage outside of the open enrollment period.

Consumers in the Federally-facilitated Marketplace who are “in line” as of March 31, 2014, but did not complete the process, will have a limited amount of additional time to finish the application and enrollment process. Consistent with previous CMS guidance, consumers who receive an SEP for being “in line” by March 31 and select new coverage within the timeframes outlined in the guidance will be able to claim a hardship exemption from the shared responsibility payment for the months prior to the effective date of their coverage. State-based Marketplaces may elect to offer similar SEPs.

CMS also issued guidance providing for limited circumstance SEPs in the Federally-facilitated Marketplace for complex cases after the initial open enrollment period closes. While CMS is currently processing SEPs for consumers with qualifying life events such as marriage or birth of a child, additional limited circumstance SEPs such as unresolved casework, enrollment errors and delayed account transfers between the Marketplace and state Medicaid and CHIP programs, will also be permitted.

To view the guidance regarding the “in line” SEP, visit:

<http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/in-line-SEP-3-26-2014.pdf>

To view the guidance regarding complex cases SEPs, visit:

<http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/complex-cases-SEP-3-26-2014.pdf>

If you have any questions, please contact the CMS Office of Legislation.