

1332 Waiver Amendment - Implementation Update

Johanna Fabian-Marks, Deputy Executive Director
September 15, 2025

Background (1/2)

- In 2024, the General Assembly passed the Access to Care Act (SB705/HB728)
 - Directs MHBE to apply for waiver amendment to allow all residents to enroll on-Exchange, regardless of immigration status (waiver of section 1312(f)(3) of the Affordable Care Act)
- On January 15, 2025, the Departments (HHS and Treasury) approved MHBE's request to amend its existing 1332 Waiver with an implementation plan specifying new eligibility rules launching Nov 1, 2025 for enrollment in 2026 plans
- Due to recent federal developments, MHBE asks the Board to approve submission of an updated implementation plan, delaying implementation of the new eligibility rules until open enrollment for 2028 plans

Background (2/2)

- Federal actions, including H.R.1 and the Marketplace Integrity Final Rule, require systems changes for MHBE that could not have been foreseen when MHBE requested the waiver amendment
- MHC's integrated eligibility system means MHBE will be a key contributor in developing and implementing new federally mandated work requirements and other changes to Medicaid eligibility
- MHBE will implement earlier than January 1, 2028 if resources allow; in that case, MHBE will notify the Departments at least six months in advance

Public Notice and Comment Period

- 30-day comment period: September 5 - October 5, 2025
- The public may submit comments to mhbe.publiccomments@maryland.gov
- Any comments received will be included with the letter for submission
- MHBE has received no comments as of September 15, 2025.

Implementation Plan

	<u>Original Plan</u>	<u>Updated Plan</u>
Spring 2025	Exchange begins designing system changes	Between now and early 2027, exchange implements new QHP and Medicaid requirements in Marketplace Integrity Rule and H.R.1
Summer 2025	Finalize system updates and complete testing in advance of fall OE activities, to support waiver implementation for OE 2026	
November 2025	OE 2026 begins; waiver population eligible to purchase QHPs	
January 2026	QHP coverage begins for waiver population	
Summer 2027		Finalize system updates and complete testing in advance of fall OE activities, to support waiver implementation for OE 2028
November 2027		OE 2028 begins; waiver population eligible to purchase QHPs
January 2028		QHP coverage begins for waiver population

Request for Approval to Submit Implementation Update Letter

MOTION: I move to [approve/defer/reject] submission of the 1332 Waiver Amendment Implementation Update Letter [as presented] *or* [as amended] to the Centers for Medicare and Medicaid Services (CMS) in the Department of Health and Human Services, and the Department of the Treasury.