

# 2019 Health Benefit Plan and Pediatric Dental Plan Rate and Form Filing April 10, 2018

The purpose of this document is to provide insurers doing business in Kentucky with guidance from the Department of Insurance (DOI) for implementing the Affordable Care Act. This Implementation Update is not legally binding on the Department or the reader.

## I. Key State Deadlines<sup>1</sup>:

Activity	Due Date to Kentucky DOI
Health benefit plan (HBP) form filings <sup>2</sup>	April 25, 2018
Standalone dental form filing	April 25, 2018
Network adequacy filings	April 25, 2018
Issuer permissible changes to HBP forms <sup>3</sup>	April 25, 2018 – June 20, 2018
Health benefit plan initial rate filings	June 13, 2018
Prescription drug templates and binder filings	June 13, 2018
Open Enrollment	November 1, 2018

## II. Other Key Issues

- a. Is the Kentucky DOI going to allow “transitional” plans to be extended until December 31, 2019?
  - i. Yes, DOI will allow “transitional” plans to be extended for the individual, small group, and large group markets through December 31, 2019.
  - ii. In accordance with CMS Guidance, issuers should consider moving plans to a calendar year renewal matching the ACA market when possible.
  - iii. DOI is also permitting limited changes to transitional plans to provide premium relief. The proposed changes must be submitted to DOI and are subject to prior approval requirements.
  
- b. Are issuer service area changes permissible?
  - i. Yes, the DOI and CMS may permit an issuer to expand or reduce their service area after the initial data submission filing. However, such changes require approval from both DOI and CMS. Service area changes are not permitted until approval has been granted.
  
- c. Network Adequacy Review

<sup>1</sup> All dates are subject to change.

<sup>2</sup> Includes both qualified health plans (QHP) and non-qualified health plans (non-QHP).

<sup>3</sup> Issuers may enact changes to the filings during this time period without DOI or CMS approval. All changes after June 20, 2018 to HBP forms require state and/or federal authorization. After August 22, 2018, changes may only be made at state and/or federal direction.

- i. DOI will perform the network adequacy review and confirm satisfaction of 45 CFR 156.230 standards.
  - ii. In accordance with CMS guidance, issuers are encouraged to expand the use of telehealth as part of their network. Telehealth should be provided in accordance with existing Kentucky law (e.g., KRS 304.17A-005(44), 304.17A-138, and KRS 311.550(17)) and any subsequently enacted legislation.
- d. DOI will post all initial rate filings by issuer on June 22, 2018.

The Kentucky Department of Insurance is prepared to answer any questions and offer guidance on the health benefit plan rate and form filing process. Please do not hesitate to contact us.