

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Department of Administration (DOA)

DIVISION: HealthSource RI (HSRI)

RULE IDENTIFIER: R23-1-1-ACA, ERLID No. 9971 (Repeals 8400)

REGULATION TITLE: Rules and Regulations Pertaining to the Rhode Island Health Benefits Exchange

REASON FOR RULEMAKING: This rule established the eligibility requirements for enrollment in a Qualified Health Plan, premium tax credits and cost sharing reductions, operation of a SHOP Exchange, and establishment of a trust to facilitate the collection and payment of premiums to qualified health plan issuers, among other requirements.

Healthsource RI is repealing this rule in connection with the adoption of the Rules and Regulations Pertaining to HealthSource RI, 220-RICR-90-00-1. This rule will be replaced and superseded by 220-RICR-90-00-1.

CHANGE TO TEXT OF THE RULE:

During public comment, it was suggested that HSRI add a provision to Section 1.8 of 220-RICR-90-00-1 that is substantially similar to the following:

“1.8(D): Notwithstanding the other provisions of this section, HealthSource RI shall not auto-renew customers such that coverage in their new plan, as compared to their existing plan, adds or eliminates comprehensive coverage for abortion services, as defined in 45 C.F.R. § 156.280(d)(1). Customers who are not auto-renewed as a result of this subsection shall instead be sent a notice from HealthSource RI, in coordination with their Annual Open Enrollment Notice, that will provide an explanation regarding the reason they have not been auto-renewed and detail the steps they will need to take in order to select a plan for the upcoming year. This notice shall also provide a list of plans that do and do not cover comprehensive abortion services.”

Healthsource RI (HSRI) has determined that this revision will be implemented, with modifications. HealthSource RI’s existing policy around automatic renewal is that it will not automatically renew customers into new plans that add or eliminate comprehensive coverage for abortion services, as defined in 45 C.F.R. § 156.280(d)(1). If a customer is not renewed as a result of this policy, he or she should be notified of the required steps to enroll in a new plan. Accordingly, HealthSource

RI is adding a new subsection 1.8(C)(1) to 220-RICR-90-00-1 that is substantially similar to the provision suggested by the commenter.

REGULATORY ANALYSIS: New costs are not anticipated as this rule is being replaced and superseded by 220-RICR-90-00-1.