

## Administrative Information Bulletin 01-24

### Guidance Regarding Special Enrollment Periods Due to the End of the Medicaid Maintenance of Effort (MOE) and the Federal COVID-19 Public Health Emergency (PHE) and National Emergency for Calendar Year 2024

January 23, 2024

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Pursuant to federal regulations at 45 C.F.R. § 155.100 et seq. and state authority at M.G.L. c.176Q, s.2, the Commonwealth Health Insurance Connector Authority (the “Health Connector”) is issuing this Administrative Information Bulletin (“Bulletin”) to provide guidance in connection with the closed enrollment period for enrolling in non-group Health Connector plans. This Bulletin provides (a) administrative information regarding an additional circumstance that would allow a person to enroll in a Health Connector plan during closed enrollment, which for 2024 is between January 23, 2024 and December 31, 2024, and (b) clarification on the parameters of this special enrollment period. Once open enrollment closes, a person may only enroll in or make changes to their health insurance plan if they experience a triggering event. See 45 C.F.R. § 155.410. Triggering events include, but are not limited to, the following: birth or adoption of a child, marriage, loss of insurance through a job, recently moved to Massachusetts, certain changes in income, or gained an eligible immigration status. See 45 C.F.R. § 155.420; 956 CMR 12.10(5).

The Commonwealth Health Insurance Connector Authority (the “Health Connector”) issued Bulletin 02-2023 on February 3, 2023, to designate certain temporary triggering events for special enrollment periods and to extend the length of all special enrollment periods granted as a result of any valid triggering event to November 23, 2023. The Health Connector noted in Bulletin 02-2023 that the purpose of these special enrollment period adjustments was to minimize the risk of harm to individuals who would be experiencing a change in coverage due to the ending of the federal COVID-19 Public Health Emergency. Individuals who would be redetermined ineligible for coverage through MassHealth due to the ending of the Medicaid Maintenance of Effort (“MOE”) protections were identified as a population for whom the need to facilitate transitions to Health Connector plans, when eligible, would be particularly vulnerable during this transition. The process of MassHealth members being redetermined remains ongoing into calendar year 2024, which means that the underlying concerns about individuals transitioning out of MassHealth and into other coverage, including Health Connector coverage, for which they are eligible persists.

Therefore, in the interest of facilitating the smooth transition back to normal commercial health insurance dynamics the Health Connector is:

- (1) designating a temporary triggering event for any individuals who lose MassHealth during calendar year 2024;
- (2) designating a temporary triggering event for any individuals who lost MassHealth on or after April 1, 2023 and have since been determined eligible for but remain unenrolled in a qualified health plan; and
- (3) extending the special enrollment periods granted for either of these temporary triggering events to November 23, 2024.

The Health Connector is designating these temporary triggering events and special enrollment period extensions in accordance with its authority pursuant to federal regulations at 45 C.F.R. § 155.420(d).

Individuals experiencing these triggering events will automatically be identified and granted the applicable special enrollment period without further action. The Health Connector reserves the right to verify the eligibility of any individual for this special enrollment period.

This Bulletin takes effect immediately.