

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Consumer Information & Insurance Oversight
200 Independence Avenue SW
Washington, DC 20201



Date: June 3, 2014

Subject: Frequently Asked Question on Qualified Health Plans and Guaranteed Availability Standards

1. What actions are issuers required to take to ensure that QHPs intended for the individual market Marketplace meet the guaranteed availability standards, consistent with the May 16, 2014 FAQ?

As we explained in our FAQ of May 16, 2014, all non-grandfathered individual market health insurance products must be guaranteed available to all individuals, unless an exception applies. Issuers may direct consumers who wish to enroll in a QHP to the Marketplace for enrollment, and are not required to market any QHP for sale outside of the Marketplace. Issuers who intend a QHP to be primarily for sale in the Marketplace are not required to create a designated pathway for off-Marketplace enrollment, and will satisfy the guaranteed availability standard if they enroll consumers who wish to enroll outside of the Marketplace using a process employed entirely on an ad hoc basis.