
2018 Benefit Year Cost-sharing Reduction (CSR) Reconciliation

Q: In light of the recent U.S. Court of Federal Claims' decisions on cost-sharing reduction (CSR) payments in *Common Ground Health Cooperative v. United States*, Case No. 17-cv-877-MMS, *Maine Community Health Options v. United States*, Case No. 17-cv-2057-MMS, and *Local Initiative Health Authority for L.A. County v. United States*, Case No. 17-cv-1542-TCW, will the Centers for Medicare & Medicaid Services (CMS) permit issuers to submit CSR data for the 2018 benefit year?

A: In order to determine the amount of CSRs issuers provided for the 2018 benefit year, CMS asks that the litigants in the cases identified above, including the issuers included as members of the class action, submit their 2018 benefit year CSR data to CMS between April 4 – May 3, 2019. These litigant issuers will also have the option to submit 2017 benefit year restatement data during this time period. Issuers submitting data in this submission window can expect to receive their CSR reconciliation reports in early May 2019.

Q: Will CMS allow issuers who were not litigants in these lawsuits or members of the class action to submit CSR data for the 2018 benefit year?

A: Yes. CMS will provide an opportunity for non-litigant issuers to submit both 2018 benefit year CSR data and 2017 benefit year restatement data from May 6 – May 31, 2019. Similar to the reporting timeline for previous years' CSR reconciliation cycles, issuers submitting data in this submission window can expect to receive their CSR reconciliation reports by June 30, 2019.

Q: Where can issuers find more information on how to complete the CSR reconciliation and restatement processes?

A: The CSR data submission process will be similar to the process for prior years' CSR reconciliation cycles. CMS will hold two webinars, one April 8, 2019 and one on April 11, 2019, for all issuers (litigant and non-litigant issuers). These webinars will provide overviews of the CSR data submission process, timelines, system processing, data file structure, data file submission process, and the attestation process. Issuers can register for these webinars through <https://www.regtap.info/>.

As required by 45 CFR 156.430, issuers may *only use the standard methodology* when submitting 2018 benefit year files and 2017 benefit year restatement files, if issuers elect to submit either one of these files.

CMS has released technical data file and attestation file specifications, available on the CCIIO website at: <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/CSR-Reconciliation-Issuer-to-MIDAS-Inbound-Specification-BY2018.pdf> and <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/CSR-Reconciliation-Issuer-to-MIDAS-Attestation-Inbound-Specification-BY2018.pdf>.

We note that from a technical or operational standpoint, there are no significant changes from the way issuers submitted data and attestation files for past years. Issuers can refer back to submission guidance for the 2017 benefit year at the following location: Manual for Benefit Year 2017:

<https://www.cms.gov/CCIIO/Resources/Forms-Reports-and-Other-Resources/Downloads/Final-CSR-Reconciliation-Guidance-BY2017.pdf>

Please refer to your benefit year 2017 web form to see who your CSR reconciliation contacts were during the 2017 benefit year and email the Cost-sharing Reductions Reconciliation inbox at CSRreconquestions@cms.hhs.gov if your technical or business points of contact have changed since the benefit year 2017 process. Additionally, new issuers should email this address to update their respective points of contact if this REGTAP announcement did not initially get sent to the correct individuals.

Issuers who have further questions may also email CSRreconquestions@cms.hhs.gov.