

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



September 7, 2021

VIA ELECTRONIC MAIL: jongodfread@nd.gov

Jon Godfread
Commissioner
North Dakota Insurance Department
600 E Boulevard Avenue
Bismarck, ND 58505

Dear Commissioner Godfread:

This letter is to notify you that, in part due to the American Rescue Plan (ARP) Act of 2021, North Dakota will receive a total of \$20,481,805 in pass-through funding to implement its State Innovation Waiver under the Affordable Care Act (ACA) for calendar year 2021.

As you are aware, on July 31, 2019, the Department of Health & Human Services and the Department of the Treasury (the Departments) North Dakota's State Innovation Waiver under section 1332 of the ACA. North Dakota's approved application waives the ACA's requirement for the single risk pool to the extent necessary to implement a state reinsurance program called the Reinsurance Association of North Dakota for plan years 2020 through 2024. On April 21, 2021, the Departments notified North Dakota that they had determined that North Dakota's pass-through funding amount for calendar year 2021 was \$14,683,761. This determination reflected federal law as of March 10, 2021, prior to the passage of the ARP. Among other changes, the ARP temporarily expanded the ACA's premium tax credit (PTC), increasing the generosity of the PTC for those who were already eligible under the ACA and making PTCs available to individuals with incomes above 400 percent of the federal poverty level for the first time.

The Departments have now completed their analysis of the effects of the ARP on pass-through funding. The Department of the Treasury's final administrative determination for North Dakota's total pass-through funding for calendar year 2021, after accounting for the ARP, is \$20,481,805. As a result, North Dakota will receive \$5,798,044 more in pass-through funding than the amount specified in the Departments' April letter.

We look forward to continuing to work with you and your staff. If you have any questions regarding program matters or official correspondence concerning the waiver, please contact Lina Rashid at Lina.Rashid@cms.hhs.gov or stateinnovationwaivers@cms.hhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ellen Montz". The signature is written in a cursive style with a large, sweeping flourish at the end.

Ellen Montz

Director

Center for Consumer Information and Insurance Oversight (CCIIO)

Cc:

Mark Mazur, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury

The Honorable Doug Burgum, Governor, State of North Dakota

John Arnold, Deputy Insurance Commissioner, North Dakota Department of Insurance

Chrystal Bartuska, Product Filing Division Director, North Dakota Department of Insurance

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



April 21, 2021

VIA ELECTRONIC MAIL: jongodfread@nd.gov

Jon Godfread
Commissioner
North Dakota Insurance Department
600 E Boulevard Avenue
Bismarck, ND 58505

Dear Commissioner Godfread:

On July 31, 2019, the Department of Health & Human Services and the Department of the Treasury approved North Dakota's State Innovation Waiver under section 1332 of the Affordable Care Act (ACA). North Dakota's approved application waives the ACA's requirement for the single risk pool to implement a state reinsurance program called the Reinsurance Association of North Dakota for plan years 2020 through 2024. It is the Department of the Treasury's final administrative determination that North Dakota's pass-through funding amount for calendar year 2021 is \$14,683,761. This determination reflects federal law as of March 10, 2021. For information on how the American Rescue Plan Act of 2021 may impact pass-through funding, please see here.¹

If you have any questions regarding program matters or official correspondence concerning the waiver, please contact Lina Rashid at Lina.Rashid@cms.hhs.gov or stateinnovationwaivers@cms.hhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Grant", is written over a light blue horizontal line.

Jeffrey Grant
Acting Director, Center for Consumer Information and Insurance Oversight (CCIIO)
Centers for Medicare & Medicaid Services (CMS)

Cc:

Mark Mazur, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury
The Honorable Doug Burgum, Governor, State of North Dakota

¹ https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_State_Innovation_Waivers-#pass-through

John Arnold, Deputy Insurance Commissioner, North Dakota Department of Insurance
Chrystal Bartuska, Product Filing Division Director, North Dakota Department of
Insurance

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



February 25, 2021

VIA ELECTRONIC MAIL: jongodfread@nd.gov

Jon Godfread
Commissioner
North Dakota Insurance Department
600 E Boulevard Avenue
Bismarck, ND 58505

Dear Commissioner Godfread:

On July 31, 2019, the Department of Health & Human Services and the Department of the Treasury approved North Dakota's State Innovation Waiver under section 1332 of the Patient Protection and Affordable Care Act (PPACA). North Dakota's application sought to waive PPACA's requirement for the single risk pool to implement a state reinsurance program called the Reinsurance Association of North Dakota for plan years 2020 through 2024. The pass-through funding associated with this waiver for calendar year 2021 is estimated to be \$14,683,761. This amount will be subject to a final administrative determination by the Department of the Treasury prior to payment.

If you have any questions regarding program matters or official correspondence concerning the waiver, please contact Lina Rashid at Lina.Rashid@cms.hhs.gov, or stateinnovationwaivers@cms.hhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Grant', is written over a light blue horizontal line.

Jeffrey Grant
Acting Director, Center for Consumer Information and Insurance Oversight

Cc:

Mark Mazur, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury
The Honorable Doug Burgum, Governor, State of North Dakota
John Arnold, Deputy Insurance Commissioner, North Dakota Department of Insurance
Chrystal Bartuska, Product Filing Division Director, North Dakota Department of Insurance