

BEFORE THE NEW MEXICO OFFICE OF SUPERINTENDENT OF INSURANCE

October 5, 2020 4:16 PM

IN THE MATTER OF THE 2020)
SPECIAL ENROLLMENT PERIOD NOTICE)
REQUIREMENT)

Docket No. 20-00053-COMP-LH

FILED

NOTICE AND ORDER

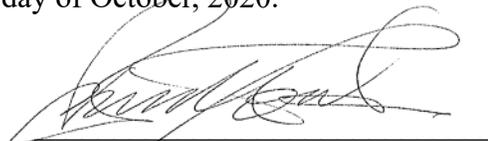
NOTICE IS HEREBY GIVEN to every health care insurer that (1) is subject to the supervision of the New Mexico Superintendent of Insurance (“superintendent”), and (2) offers off-Exchange health plans in New Mexico:

CMS has created a special enrollment period (SEP). The new SEP allows individuals and families enrolled in off-Exchange coverage to move to an on-Exchange plan if they become eligible for advance premium tax credits due to a decline in income. CMS operationalized this SEP through healthcare.gov, and recently informed states that a sixty-day enrollment period applies from either the date an individual stops paying premiums for off-Exchange coverage, or expects to stop paying premiums, due to a loss in income.

IT IS THEREFORE ORDERED that every carrier who offers off-Exchange plans in the individual market shall provide notice to each policyholder of this newly operationalized SEP. The notice shall:

1. Be provided in the form of the attached letter, without any substantive alteration.
2. Be delivered via the policyholder’s preferred method of communication. If the policyholder has not designated a preferred method of communication, the carrier shall send the notice by mail.
3. If the policyholder’s preferred delivery method is electronic, the notice shall be delivered no later than Saturday, October 10th. If the preferred delivery method is mail, the notice should be received by the policyholder by October 15th.
4. This docket shall remain open until further written order of the Superintendent.

DONE AND ORDERED this 5th day of October, 2020.



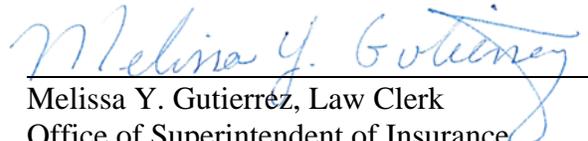
HON. Russell Toal
SUPERINTENDENT OF INSURANCE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused delivery of a true and correct copy of the foregoing Notice and Order to the following persons, as indicated, this 5th day of October, 2020.

Bryan E. Brock, General Counsel
Office of Superintendent of Insurance
PO Box 1689, Santa Fe, NM 87504-1689
Bryan.Brock@state.nm.us

Todd S. Baran, Life and Health Attorney
Office of Superintendent of Insurance
PO Box 1689, Santa Fe, NM 87504-1689
Todd.Baran@state.nm.us



Melissa Y. Gutierrez, Law Clerk
Office of Superintendent of Insurance
Office of Legal Counsel

Dear Policyholder

ATTENTION! DID YOU EXPERIENCE A DROP IN INCOME DURING 2020?

ARE YOU STILL FAR FROM MEETING YOUR 2020 ANNUAL DEDUCTIBLE in your current health plan?

If so, you may be able to get lower health insurance premiums by switching to a health plan on Healthcare.gov. A new special enrollment period is open to people and families whose reduced income makes them able to get lower health insurance premiums. To see if you are able to get lower payments, you can take one of the steps below:

1. Visit bit.ly/33T1y5Y and answer a few simple questions to see if you can get help with payments.
2. Call beWellnm at 1-833-862-3935.
3. Find an agent who can help you figure out if you can get lower payments by visiting bewellnm.com/get-help.

If you think your household income for 2020 is below one of the amounts below, you may be able to get lower payments for your health insurance for the balance of this calendar year.

Household Size	Income Limit for Adult Medicaid	Income Limit for Discounted Premiums
	Annual Income	
1	\$17,609	\$49,960
2	\$23,792	\$67,640
3	\$29,974	\$85,320
4	\$36,156	\$103,000
5	\$42,339	\$120,680
6	\$48,521	\$138,360
7	\$54,704	\$156,040
8	\$60,886	\$173,720

If you are able to get a plan at a lower cost and want to do so, you must choose a plan on Healthcare.gov and you must ask the health plan you have now to end your plan with them on the date your new plan starts; but please NOTE: **Changing plans is NOT recommended if you have fulfilled your annual deductible for 2020 or met your 2020 maximum out-of-pocket spending, because if you change plans, you will have to start spending your own money all over again to meet your 2020 deductible and maximum out-of-pocket costs.**

People with lower incomes also may be able to get help with paying health care costs that your plan does not cover, such as a copayment for a doctor's visit. If your income is *below* the amount in the column called "Income Limit for Medicaid," you may be able to get Medicaid coverage, which has no copays or deductibles. If you have children, they may be able to get Medicaid at higher income levels. Please call 1-855-637-6574 for more information.

If you are not able to switch to a lower cost plan, or Medicaid, or you choose not to switch to such a plan, your current plan with us will remain in place for the rest of the year.

Don't forget that the time to choose your 2021 health plan begins on November 1st and ends on December 15th! You can only get help paying for your health plan from www.healthcare.gov or www.bewellnm.com.

If you have other questions, please contact the Office of Superintendent of Insurance at 1-855-427-5674. You can find a list of questions and answers (FAQ) by visiting <https://bit.ly/3cSlgS6>.