

THE PATIENT PROTECTION AND AFFORDABLE CARE ACT
SNAP SHOT OF KEY INSURANCE REFORMS

AMENDS/ADDS:

- PHSA §2701 Fair Insurance Premiums: [eff. 1/1/14]
Prohibits Discriminatory Premium Rates (**Does not apply** to Grandfathered Plans)
- PHSA §2702 Guaranteed Issuance: [eff.1/1/14]
Guaranteed availability of coverage for all individual and group plans
subject to enrollment periods, financial condition of carrier, service areas, etc
(**Does not apply** to Grandfathered Plans)
- PHSA §2703 Guaranteed Renewability: [eff.1/1/14]
Coverage guaranteed renewable unless premium not paid, policy not offered in
market, fraud, etc. (**Does not apply** to Grandfathered Plans)
- PHSA §2704 Pre-existing Conditions:
No pre-existing conditions for children under age19 [eff. 9/23/10][Plan years 1/1/11].
No pre-existing conditions for anyone [1/1/14]
“Interim Final Regulations” reads as though not only can benefits not be denied
based on pre-existing but that coverage must be extended [early guaranteed issue
requirement which is not applicable to Grandfathered Plans]
(**Applies** to Grandfathered Plans)(**Does not apply** to individual Grandfathered Plans)
- PHSA §2705 No Discrimination based on health condition/status: [eff. 1/1/14]
(**Does not apply** to Grandfathered Plans)
- PHSA §2706 Non-Discrimination in health care against licensed providers: [eff. 1/1/14]
(**Does not apply** to Grandfathered Plans)
- PHSA §2707 Comprehensive Insurance Coverage: [eff. 1/1/14]
Requires essential health benefits, certain cost sharing requirements, child only plans
and stand alone dental plans. (**Does not apply** to Grandfathered Plans)

- PHSA §2708 No Excessive Waiting Periods: [eff. 1/1/14]
Plan may not require more than 90 days waiting period after employment for coverage. (**Applies** to Grandfathered Plans)
- PHSA §2709
10103(c) Clinical Trial Coverage: [eff. 1/1/14]
(**Does not apply** to Grandfathered Plans)
- PHSA §2711 No lifetime or annual limits [eff. 9/23/10][Plan years 1/1/11].
Annual limits on “essential health benefits” prior to 1/1/14 may be established by HHS. “Per Beneficiary” annual or lifetime limits are allowed for non “essential health benefits.” Also see §10101(a) and HCERA §2301(a). (**Applies** to Grandfathered Plans)
(Annual limits **do not apply** to individual Grandfathered Plans).
- June 22, 2010 “Interim Final Regulations” provides for Phase Out of Annual Limits for Groups based on Plan Years: Between 9/23/10-11 \$750,000; Between 9/23/11-12 \$1.25 million and Between 9/23/12-13 \$2 million. 2014- No annual limits
- PHSA §2712 Prohibition on Rescissions [eff. 9/23/10][Plan years 1/1/11]
Except fraud and intentional misrepresentations.
Also see HCERA §2301(a) (**Applies** to Grandfathered Plans)
- PHSA §2713 Preventive Health Services [eff. 9/23/10]
Immunizations and other HHS specified services without cost sharing requirements.
(**Does not apply** to Grandfathered Plans)
- PHSA §2714 Extension of Dependent Coverage [eff. 9/23/10][Plan years 1/1/11]
“Children” up to 26 yrs
Also see HCERA §2301 (**Applies** to Grandfathered Plans but before 1/1/14 not required if employer sponsored plan is available to the employed “child”)
- PHSA §2715 Standardized Summaries and Standard Definitions [eff.3/23/12].
HHS to start developing definitions 3/23/10.
Also see §§10101(b)(c) and 10103(d)(**Applies** to Grandfathered Plans)

- PHSA §2715A Provision of Additional Plan Information: [eff. 1/1/14]
added by §10101(c) – Plans desiring to be certified for the Exchange to provide certain information such a claim and enrollment information required under §1311(e)(3) to HHS, state insurance department and the general public. If not offered in Exchange, the information is to be provided to HHS and state insurance department. (Does not apply to Grandfathered Plans)
- PHSA §2716 Non Discrimination based on salary [eff. 9/23/10][Plan Years 1/1/11]
Also See §10101(d) (Does not apply to Grandfathered Plans)(Does not apply to self-insured plans but note self-insured plans already subject to similar provision).
- PHSA §2717 Ensuring Quality of Care [eff. 3/23/12]
Establishes Reporting Requirements designed to measure quality of care. Also see §10101(e) (do not have to report gun ownership)(Does not apply to Grandfathered Plans)(Should not apply to self-insured plans per §1563(e)(Conforming Amendments)
- PHSA §2718 Bringing Down the Cost of Health Care Coverage- Minimum Loss Ratio [eff. 9/23/10]
[Plan Years 1/1/11]
Also see §§10101(f) which amends §2178 and 10103(d)(Applies to Grandfathered Plans BUT not self-insured per §1563(e)(Conforming Amendments) and HCERA §2301(a)
- PHSA §2719 Appeals Process [eff.9/23/10][Plan Years 1/1/11].
Also see §10101(g)(Does not apply to Grandfathered Plans)
- PHSA §2719A Patient Protections: Choice of Physician and ER services, etc.
[eff.9/23/10][Plan Years 1/1/11].
Added to §2179 through §10101(h)(Does not apply to Grandfathered Plans)