

Section 1332 of the Patient Protection and Affordable Care Act (PPACA) State Innovation Waivers – Reinsurance Waiver Quarterly Report

Reporting Instructions: Use the following template to capture data for quarterly 1332 waiver grant reporting, as specified in 45 CFR 155.1324(a), and referenced in your grant specific terms and conditions (STC). Quarterly reports are due 60 days following the end of each calendar quarter.

STATE:

A. GRANTEE INFORMATION			
1. Reporting Period End Date Sep 30, 2022		2. Report Due Date Nov 30, 2022	
3. 1st Quarterly Report <input type="radio"/>	2nd Quarterly Report <input type="radio"/>	3rd Quarterly Report <input checked="" type="radio"/>	4. Federal Agency and Organization Element to Which Report is Submitted Consumer Information & Insurance Oversight (CCIIO)
5. Federal Grant Number Assigned by Federal Agency SIW1W18003	6a. DUNS Number 809579451		6b. EIN 93-0952020
7. Recipient Organization Name Oregon Department of Consumer and Business Services			
Address Line 1 350 Winter Street NE			
Address Line 2			
Address Line 3			
City Salem	State Oregon		Zip Code 97301
Zip Extension 3875		8. Grant Period Start Date 01/01/2018	
9. Grant Period End Date 12/31/2027			
10. Other Attachments (attach other documents as needed or as instructed by the awarding Federal agency)			

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B. REPORT CERTIFICATION	
11. Certification: I certify to the best of my knowledge and belief that this report is correct and complete for performance of activities for the purposes set forth in the award documents.	
11a. Typed or printed name and title of Authorized Certifying Official Kirsten L. Anderson, Deputy Administrator Division of Financial Regulation	11b. Signature of Authorized Certifying Official
11c. Telephone (area code, number, and extension) (503) 507-2454	11d. E-mail address Kirsten.L.Anderson@dcb.s.Oregon.Gov
11e. Date report submitted (month/day/year) November 23,2022	
C. PROGRESS OF SECTION 1332 WAIVER - General	
<p>12. Provide an update on progress made in implementing and/or operating the approved 1332 waiver. During the third quarter of 2022 the Oregon Reinsurance Program (ORP) has completed processing the healthcare claims for the six eligible health insurance carriers on the individual market. Next, the enrollment for the individual market are still showing strong numbers. Further, a legislative concept is being drafted to help members of the Covid-19 Public Health Emergency Medicaid Redetermination which may begin to unwind during the first quarter of 2023.</p> <p>Enrollment Report The enrollment for individual ACA compliant enrollment ending September 30, 2022 for both on- and off-market totals approximately 167,406 members.</p> <p>2021 Reimbursement Analysis ORP has processed all healthcare claims for the 2021 program year. The grand total for all six eligible insurers amounted to \$224,310,360.84 (attachment point of \$83,000 with a cap of \$1 million). The budgeted coinsurance was for the 2021 program year was 50 percent, which brought the total to \$112,155,180.42. The budget set for the 2021 program year totaled \$107,800,000.00. This overage triggered the Oregon Administrative Rule 836-150-0050 which states "(b) If the total reinsurance payments calculated under paragraph (a) of this rule would exceed the total dollar amount budgeted for the reinsurance program in a benefit year, the department may uniformly reduce the coinsurance rate for all reinsurance eligible issuers in that benefit year. If the department elects to reduce the coinsurance</p>	

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rate under this paragraph, the department will reduce the coinsurance rate only to the extent necessary to ensure that reinsurance payments do not exceed the total dollar amount budgeted for the benefit year. " The coinsurance rate was adjusted to 48.1 percent, with the adjusted total matching the set budget of \$107,800,000.00. The total number of members who reached the set parameters for the 2021 program year amounted to 2,289.

Medicaid Redetermination-Oregon

The Oregon Department of Consumer and Business Services (DCBS) is working with the Oregon Health Authority (OHA), who is taking a lead role in creating alternative health insurance plans for members who may lose coverage with the cessation of the Covid-19 Public Health Emergency, which may cease during the 2023 program year:

- **Issue Summary:** OHA estimates as many as 300,000 Oregonians may lose coverage when Medicaid redetermination resume following the end of the federal COVID-19 public health emergency. Under House Bill 4035 (2022), DCBS has been working with OHA, the DHS, and a new task force to explore options to address this by establishing new coverage options.
- **Current Status:** The task force recommendation will most likely be a basic health plan option under the ACA, a Medicaid-like program for individuals between 138-200% of the federal poverty level. The recommendation may also include policy options to mitigate potential adverse impacts on the commercial insurance market, currently under development.
- **Key Decision Points and Milestones:** The Task Force established by HB 4035 has been meeting for months and will be reporting to the Legislature by the end of the year. The Legislature will likely need to approve aspects of the plan in the 2023 session.

13. Describe any implementation and/or operational challenges, including plans for and results of associated corrective actions. After the first quarter, only report on changes and/or updates, as appropriate.

No actions taken during quarter three of 2022.

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D. POST-AWARD FORUM <i>(for Quarter Post-Award Forum was held)</i>
14. Was the date, time, and location of the Post-Award Forum advertised 30 days in advance? <input checked="" type="radio"/> Yes <input type="radio"/> No
15. State website address where Post-Award Forum was advertised https://dfr.oregon.gov/business/reg/health/Documents/reinsurance-program/20210720-postaward-forum-presentation.pdf
16. Date Post-Award Forum took place 07/20/2022
17. Summary of Post-Award Forum, held in accordance with §155.1320(c), including all public comments received and actions taken in response to concerns or comments. <p>The annual public forum was conducted on July 20, 2022 virtually. This meeting had a two-fold purpose to inform the public of the federal grant for the 2021 program year and of the extension of the PPACA 1332 Empowerment and State Innovation Waiver for program years 2023-2027. Each presentation gave a complete assessment of current enrollment, eligible insurers, and past, current and future budget analysis, including both state and Federal support. The meeting was scheduled for two hours and no questions were asked at the end of each presentation. Seven members of the general public attended.</p>
18. Other Attachments (attach other documents as needed pertaining to Post-Award Form)