

CHAPTER 82
IOWA STOPGAP MEASURE

191—82.1(505,513C,514E) Purpose. This chapter is intended to establish a temporary health program providing for a single, standard individual health insurance plan available to eligible residents, premium credits based on age and income, and a reinsurance program to support the costs of high-cost claimants. The operations of this Iowa Stopgap Measure shall be facilitated by the Iowa Individual Health Benefit Reinsurance Association (IIHBRA) and the Iowa Comprehensive Health Association (HIPIOWA) pursuant to the powers and authority afforded to the associations and the insurance commissioner under Iowa Code sections 513C.10 and 514E.2.

[ARC 3281C, IAB 8/30/17, effective 8/4/17]

191—82.2(505,513C,514E) Authority to request waiver. The insurance commissioner may, on behalf of the state of Iowa, apply to the United States Secretary of Health and Human Services and the United States Secretary of the Treasury under 42 U.S.C. Section 18052 for the waiver of applicable provisions of P.L. 111-148 (Patient Protection and Affordable Care Act) with respect to health insurance coverage for a plan year beginning on or after January 1, 2018. The insurance commissioner may implement a state plan meeting the waiver requirements in a manner consistent with state and federal law and as approved by the United States Secretary of Health and Human Services and the United States Secretary of the Treasury.

[ARC 3281C, IAB 8/30/17, effective 8/4/17]

191—82.3(505,513C,514E) Funding. The Iowa Stopgap Measure shall be funded by the Centers for Medicare and Medicaid Services (CMS). If no funding or an insufficient amount of funding is received from CMS, the Iowa Stopgap Measure shall not be established. If funding for the Iowa Stopgap Measure is insufficient to completely fund all premium credits and the reinsurance program, a carrier participating in the Iowa Stopgap Measure may cancel and nonrenew a standard individual health insurance plan issued thereunder by giving 30 days' written notice of cancellation to the consumer.

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191—82.4(505,513C,514E) Authority. These rules are adopted pursuant to the general rule-making authority of the insurance commissioner in Iowa Code chapters 505, 513C, and 514E to establish the Iowa Stopgap Measure.

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191—82.5(505,513C,514E) Scope. This chapter and the definitions and rules set forth herein shall apply only to the Iowa Stopgap Measure.

[ARC 3281C, IAB 8/30/17, effective 8/4/17]

191—82.6(505,513C,514E) Duties of IIHBRA and HIPIOWA to amend their plans of operation.

82.6(1) Pursuant to Iowa Code sections 513C.10 and 514E.2(3), the IIHBRA and the HIPIOWA shall develop amendments to their plans of operation that:

a. Establish a procedure for implementation of the Iowa Stopgap Measure as set forth in the State of Iowa's Section 1332 waiver;

b. Set forth the benefits, the deductible, and the cost-sharing amounts to be offered in the standard individual health insurance plan; and

c. Undertake, directly or through contracts with other persons, the procedure for implementation of the Iowa Stopgap Measure.

82.6(2) The amendments to the plans of operation are subject to review and approval by the insurance commissioner.

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These rules are intended to implement Iowa Code chapters 505, 513C, and 514E.

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