

Memorandum

Date: March 31, 2014 (revised April 4, 2014)

To: NIHB Medicare, Medicaid and Health Reform Policy Committee (MMPC)¹

Subject: Can an Individual Still Apply for Coverage Past March 31, 2014?

Q. Can I still apply for coverage through a Health Insurance Marketplace after March 31, 2014?

A. For many individuals, yes. The basic “open enrollment period” for the Marketplaces established under the Affordable Care Act (ACA) ends March 31, 2014. The open enrollment period is the time that individuals can enroll for coverage for the 2014 coverage year. But, **individuals and families may be also eligible to apply for coverage after March 31, 2014.**

Here are examples of avenues to enroll for coverage through a Marketplace after March 31, 2014 –

- **Monthly special enrollment periods:** American Indians and Alaska Natives (AI/ANs) meeting the eligibility criteria as a “Member of an Indian Tribe” are eligible for monthly special enrollment periods. A monthly special enrollment period is an Indian-specific provision in the ACA that permits an eligible AI/AN individual to apply and enroll in coverage, or change plans, throughout the 2014 coverage year.
 - We have been informed by the Marketplace that dependents who are 18 years or under may also enroll with their eligible AI/AN parents during a monthly special enrollment period.
- **Difficulty applying by March 31, 2014:** In general, for those who start (or attempt to start) to apply but have difficulty completing an application by March 31, it *may* be possible to complete the enrollment after March 31, 2014.
 - The Federally-facilitated Marketplace (operating a Marketplace in 36 states) has identified a number of reasons that permit individuals to continue their application and enrollment process past March 31. **[Note: As of 4/2/2014, all State-based Marketplaces adopted a version of the extension of the deadline for individuals who are “in line”.²]** For example, an extension of the deadline may apply for:
 - Individuals who applied through a paper application and the paper application was received by April 7, 2014.
 - Individuals whose application was pending review of supporting documentation on March 31.

¹ For questions on this document, please contact Doneg McDonough at d.mcdonough@yahoo.com.

² For example, it has been reported that the State of Oregon is permitting enrollment through April 30, and the State of Washington permits applicants to complete their application only if they filed an application prior to March 31. But, check with your state’s Marketplace to confirm the procedures that apply.

- Individuals blocked from applying due to high consumer traffic across the consumer enrollment channels (such as HealthCare.gov or the Marketplace Call Center) leading up to the March 31 deadline. Should this occur, CMS will provide consumers who tried to enroll during the open enrollment period, but did not complete the process by March 31, a limited amount of additional time to finish the application and enrollment process.
- There appear to be a number of nuances to this, but CMS wrote: “Provided that consumers who were “in line” [as of March 31] pay their first month’s premium by the deadline set by their chosen insurance company, we anticipate that enrollments made in the limited time after March 31 will have a May 1 coverage effective date.”
- Two guidance documents issued by the Federal government on this topic may be accessed at:
 - **“In-line”**: <http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/in-line-SEP-3-26-2014.pdf>
 - **“Complex Cases”**: <http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/complex-cases-SEP-3-26-2014.pdf>
- State-based Marketplaces may provide similar extensions of the deadline for these or other circumstances.
- *To increase your ability to rely upon one of these exceptions, it is helpful to have a record of starting (or attempting to start) the application process on or before March 31, 2014.*
- **Special enrollment periods:** A host of “special enrollment periods” are available to individuals who experience a change in their circumstances throughout 2014, resulting in a need to change or newly-apply for coverage through a Marketplace. “Life changes” include marriage or divorce, adoption or birth of a child, loss of employer coverage, etc. A guidance document issued by the Federal government on special enrollment periods, including effective dates of coverage, is linked here: <http://www.healthreformgps.org/wp-content/uploads/provider-networks-2-11.pdf>³
 - Some of the special enrollment periods allow coverage to become effective immediately, but for most of the special enrollment periods the coverage is effective the first day of the following month (if applying by the 15th of the month) or by the second following month (if applying between the 16th and end of month.)
 - A PowerPoint presentation prepared by the Center on Budget and Policy Priorities provides a helpful overview of the special enrollment periods. <http://www.healthreformbeyondthebasics.org/cbpp-webinar-beyond-the-basics-of-exemptions-penalties-and-special-enrollment-periods/>

³ The linked document also explains the process to make changes to applications previously filed.

- **Medicaid coverage:** Individuals eligible for Medicaid or CHIP are able to apply for coverage at any time during the year.

In summary, there are many potential avenues for securing health insurance coverage after March 31, 2014. In addition to the Marketplace Website (www.HealthCare.gov) and the Marketplace Call Center (1-800-318-2596), the Center for Medicare and Medicaid Services Native American Contacts (NACs) are available to assist with navigating Marketplace enrollment. A list of NACs is accessible at:

<http://www.cms.gov/Outreach-and-Education/American-Indian-Alaska-Native/AIAN/Downloads/NACTAGLIST.pdf>

Note: The next open enrollment period for 2015 begins November 15, 2014, with coverage effective January 1, 2015. Prior to that date, individuals may be able to purchase health insurance outside the Marketplace, although the premium tax credits and cost-sharing assistance would not be available. AI/ANs that do not have any health insurance other than access to Indian Health Care Providers in 2014 should apply for an exemption to the tax penalty for not maintaining health insurance coverage.