Immediate 2017 Actions to Stabilize the Private Health Insurance Market

A. Legislative:

a. Do no harm by maintaining the cost-sharing reductions program and making final payments for the temporary reinsurance program. Both can be done administratively.

b. To minimize significant premium increases and ensure access to care in 2018:

- Keep individual mandate until Congress can enact:
  - High risk pool funding starting in 2018
  - Fairer tax credits for younger consumers and a 5:1 age band
  - Incentives to encourage people to maintain continuous coverage

- Permanently repeal (or delay) ACA taxes and fees

B. Administrative:

Immediate regulatory and administrative actions are needed in three key areas to shore up the individual health insurance market while Congress works on legislation:

1. Allow people to keep their choice of health plans
   - Allow states to continue expiring “grandmothered” individual and small group policies (expires 2017)
   - Allow “grandfathered” policies to continue regardless of whether their deductibles and benefits have changed

2. Close coverage loopholes and cut back fees that lead to higher costs
   - Prevent 2018 premium increase of 6.5% by delaying the health insurance tax (3%) and eliminating the federal exchange user fee (3.5%)
   - Limit number of special enrollment periods to life-changes; require all individuals to show proof of eligibility before coverage starts
   - Prohibit steering of Medicare/Medicaid eligibles into private health insurance
   - Require people to pay their outstanding debts before re-enrolling
   - Streamline reporting and notice requirements
   - Reduce the burdensome Section 1557 non-discrimination rules

3. Return regulatory authority to the states
   - Return authority for rate review, benefit design and provider network adequacy
   - Give states more flexibility on 1332 waivers