

***Eligibility Standards for Advanced Payments of the Premium Tax Credit, Cost-Sharing
Reductions and Enrollment in Qualified Health Plans***

Authority: Insurance Article §§ 31-106 and 31-108, Annotated Code of Maryland

.01 Scope.

This Chapter sets forth the eligibility standards for advanced payments of the premium tax credits, cost-sharing reductions, and enrollment in qualified health plans.

.02 Definitions.

- A. In this subtitle, the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) “Advanced Payments of the Premium Tax Credit” means payment of the federal tax credits specified in section 36B of the Internal Revenue Code (as added by section 1401 of the Affordable Care Act) which are provided on an advance basis to an eligible individual enrolled in a Qualified Health Plan through an Exchange in accordance with section 1412 of the Affordable Care Act.
 - (2) “Catastrophic Plan” means a qualified health plan described in section 1302(e) of the Affordable Care Act.
 - (3) “Cost-Sharing Reductions” means reductions in cost sharing, including, but not limited to, reductions in out of pocket limits, for an eligible individual enrolled in a silver level plan in the Exchange or for an eligible individual who is an Indian enrolled in a qualified health plan through the Exchange.
 - (4) “Indian” has the meaning set forth under 45 CFR § 155.300.
 - (5) “Qualified Health Plan” has the meaning set forth in Insurance Article § 31-101(r), Annotated Code of Maryland.
 - (6) “Maryland Health Benefit Exchange” has the meaning set forth in Insurance Article § 31-101(e), Annotated Code of Maryland.

.03 Eligibility Requirements for Enrollment in a Qualified Health Plan.

The Maryland Health Benefit Exchange shall determine an applicant’s eligibility for enrollment in a qualified health plan based on the criteria set forth at 45 C.F.R. § 155.305(a).

.04 Eligibility Requirements for Advanced Payments of the Premium Tax Credit.

The Maryland Health Benefit Exchange shall determine a tax filer’s eligibility for advance payments of the premium tax credit based on the criteria set forth at 45 C.F.R. § 155.305(f) and 26 C.F.R. § 1.36B-2.

.05 Eligibility Requirements for Cost-Sharing Reductions.

- A. The Maryland Health Benefit Exchange shall determine an applicant's eligibility for cost-sharing reductions based on the criteria set forth at § 45 C.F.R. § 155.305(g).
- B. Where an applicant is an Indian, the Maryland Health Benefit Exchange shall determine the applicant's eligibility for any cost-sharing reductions based on the criteria set forth at § 45 C.F.R. § 155.350.

.06 Eligibility Requirements for Enrollment in a Catastrophic Plan.

The Maryland Health Benefit Exchange shall determine an applicant's eligibility for enrollment in a catastrophic plan based on the criteria set forth at § 45 C.F.R. § 155.305(h).