

Request for Comment: AV De Minimis Range Plan Certification Standard

On June 20, 2025, CMS [finalized](#) the 2025 Marketplace Integrity and Affordability [Final Rule](#), including a widening of the de minimis ranges in Plan Year (PY) 2026 for individual and small group market plans subject to actuarial value (AV) requirements. The de minimis ranges establish by how much a plan can vary from the specified level of coverage for each metal level (60% for Bronze plans, 70% for Silver plans, 80% for Gold plans, 90% for Platinum plans). For example, under 2025 rules, a Gold plan could have an AV between 78% and 82% to meet federal requirements; under 2026 rules, a Gold plan could have an AV as low as 76%. The provision in the final rule means that plans in 2026 and beyond can be less generous and still meet federal requirements.

In the interest of promoting market stability and reducing uncertainty for PY 2026, MHBE proposes maintaining the AV de minimis ranges from PY 2025 for all on-Exchange individual market plans for PY 2026. The table below summarizes the de minimis ranges that were in effect for PY 2025, the finalized federal ranges for PY 2026, and MHBE's proposal for 2026.

Public comments on this proposal should be sent to mhbe.publiccomments@maryland.gov by 5pm on July 11, 2025.

Given the recent release of the final rule and Maryland's plan review process, which is already underway for PY 2026, the process for this proposal is abbreviated. Instead of holding a public comment period after the MHBE Board of Trustees votes on the proposal, this request for comment replaces the usual public comment period. Next, the MHBE Board of Trustees will vote on whether to finalize this proposal at their next meeting on July 21, 2025.

Individual Market De Minimis Ranges

	PY 2025 (per 2023 NBPP)	PY 2026 Federal	Proposed PY 2026 - MD On-Exchange
Expanded Bronze (60% AV)	+5/-2*	+5/-4	+5/-2*
Silver (70% AV)	+2/0	+2/-4	+2/0
Silver 94% AV	+1/0	+1/-1	+1/0
Silver 87% AV	+1/0	+1/-1	+1/0
Silver 73% AV	+1/0	+1/-1	+1/0
Gold (80% AV)	+2/-2	+2/-4	+2/-2
Platinum (90% AV)	+2/-2	+2/-4	+2/-2

*Corrected 7/11/25. The original version of the chart contained a typo for the Expanded Bronze ranges. The PY2025 and PY2026 ranges should read +5/-2, not +2/-2 as originally erroneously written. This correction is to reinforce MHBE's intent to maintain the PY2025 ranges for PY2026.