

To: CMS Administrator Mehmet Oz

Date: TBD

Dear Administrator Oz:

The Maryland Health Benefit Exchange (MHBE) is providing the Departments with an update on the implementation plan for the waiver amendment approved by the Departments on January 15, 2025 pursuant to STC 8 of the specific terms and conditions of the waiver amendment approval.¹ MHBE is requesting to postpone its effective date for waiver amendment implementation due to changes at the Federal level that MHBE could not have foreseen when the agency requested the amendment. The Marketplace Integrity Final Rule and H.R. 1 both require MHBE to make substantial changes to its IT system. Further, MHBE has an integrated eligibility system with Medicaid and is responsible for many system changes necessary to implement the new Federally-mandated work requirements.

MHBE intends to implement the waiver amendment (waiving section 1312(f)(3) of the ACA) effective January 1, 2028, rather than the original date of January 1, 2026. If time and resources allow, MHBE may be able to implement earlier. In the case of an implementation date earlier than January 1, 2028, MHBE will notify the Departments at least six (6) months before the implementation date. A detailed updated implementation plan is enclosed at the end of this letter.

A phase-out plan as specified under STC 8 is not necessary as the program had not yet been implemented. Additionally, the waiver amendment was not expected to have a material impact on the 1332 statutory guardrails and therefore a delayed implementation is also not expected to have an impact.

Please contact Johanna Fabian-Marks, Deputy Executive Director, (johanna.fabian-marks@maryland.gov) with any questions.

Sincerely,

Michele Eberle
Executive Director

¹ <https://www.cms.gov/files/document/1332-md-waiver-amendment-approval-letter-stcs-signed.pdf>

Waiver Amendment Implementation Plan

	<u>Original Plan</u>	<u>Updated Plan</u>
Spring 2025	March: Exchange begins designing system changes	Between now and early 2027, exchange implements new QHP and Medicaid requirements in Marketplace Integrity Rule and H.R.1
Summer 2025	Finalize system updates and complete testing in advance of fall OE activities, to support waiver implementation for OE 2026	
November 2025	OE 2026 begins; waiver population eligible to purchase QHPs	
January 2026	OE ends Jan 15; QHP coverage begins for waiver population	
Summer 2027		Finalize system updates and complete testing in advance of fall OE activities, to support waiver implementation for OE 2028
November 2027		OE 2028 begins; waiver population eligible to purchase QHPs
January 2028		QHP coverage begins for waiver population