

Non-Substantive Change Request to CMS-10338 (OMB Control #: 0938-1099)

This is a non-substantive change request to the Affordable Care Act Internal Claims and Appeals and External Review Procedures for Non-grandfathered Group Health Plans and Issuers and Individual Market Issuers information collection request (OMB Control Number 0938-1099). The change request is necessary to allow CMS to change the method that plans and issuers use to elect a Federal external review process. The existing information collection request states that health insurance issuers and self-funded non-federal governmental plans that have opted to use either the HHS Federal External Review process or the Department of Labor's Federal external review process ("applicable plans and issuers") are required to notify HHS as to which Federal external review process they will be using. The statement states that applicable plans and issuers should submit their election notices to HHS electronically. The Health Insurance Oversight System has been enhanced with the capability to collect this information from the applicable health plans and issuers, making the election process more streamlined. The ICR will be updated to reflect that applicable plans and issuers must use HIOS to submit the election information. We are also including the sub regulatory guidance which has been updated to provide plans and issuers with instructions on how to submit their information to HIOS as well as draft emails to plans and issuers once their roles have been approved or disapproved.

In order to access HIOS, sponsors will need to complete the registration process. The burden related to the registration process is included in a separate ICR titled Health Care Reform Insurance Web Portal and Supporting Authority Contained in Sections 1103 and 10102 of The Patient Protection and Affordability Care Act, P.L. 111-148 (PPACA) (OMB control no. 0938-1086) and, therefore, is not included here.