

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Consumer Information & Insurance Oversight
200 Independence Avenue SW
Washington, DC 20201



August 27, 2015

Mr./Ms. NAME, Chief Executive Officer
Company name
ADDRESS

Dear Mr./Ms. CEO LAST NAME:

Thank you for your timely submission of risk corridors and Medical Loss Ratio (MLR) data for the 2014 benefit year to the Centers for Medicare & Medicaid Services (CMS). As you know, on August 7, 2015, CMS published guidance indicating that we had identified a significant number of material differences in the risk corridors data, and, as a result, we were postponing the publication of the preliminary risk corridors program results in order to conduct additional data validation.¹

In order to protect the integrity of the risk corridors and MLR programs, we are requesting that each company complete and attest to a checklist, which identifies critical components of the risk corridors and MLR submissions. If your company's initial MLR and risk corridors submissions satisfies the checklist, your company should indicate this on the checklist. If your company's initial MLR and risk corridors submissions do not satisfy the checklist, your company should voluntarily resubmit its risk corridors and MLR forms for the 2014 benefit year in a manner consistent with the checklist and indicate the voluntary resubmission on the checklist. In addition to resubmitting the forms consistent with the checklist as necessary, we are asking your company to review various data sources using the instructions provided and identify and quantify the elements that account for material difference between them in a separate worksheet. The identification of material differences does not necessarily mean there is a problem with either data source. The checklist and attestation, along with the worksheet and instructions that your company will use to identify and quantify differences, will be accessible via a unique link from CMS that will be sent to your company shortly. Because we will collect this information on a company-by-company basis based on FEINs, a person listed as the point of contact for multiple affiliated companies may receive multiple emails requesting submission of this data. A separate response must be received for each unique email, because each is associated with a unique company based on FEIN.

¹ Preliminary Risk Corridor Program Results, Center for Consumer Information and Insurance Oversight, August 7, 2015, available at: <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Preliminary-RC-Program-Results-8-7-15.pdf>.

To complete and attest to the checklist and submit additional information related to material differences in the worksheet, please follow the web link and respond with the information and resubmission of data for risk corridors and MLR programs requested by 11:59 p.m. EDT on September 14, 2015.

It is not necessary to resubmit your risk corridors/MLR submission if there will not be an impact on the amount of your risk corridors payments or charges, or your MLR rebates. However, you should complete and attest to the checklist and worksheet regardless.

Failure to submit this data by the deadline may be considered a failure to respond to inquiries as part of an investigation about issuer non-compliance under 45 CFR 158.602(d), and could result in compliance action. If you have policy questions regarding your submissions, please contact: ACAriskcorridors@cms.hhs.gov.

Thank you for the hard work your teams have dedicated to submitting and reviewing premium stabilization program and MLR data. CMS remains committed to the risk corridors program, and we appreciate your prompt attention to this issue.

Sincerely,

Kevin J. Counihan
Chief Executive Officer, Health Insurance Marketplaces
Director, Center for Consumer Information & Insurance Oversight