Appendix A: Response to 60-day Comments

Summary of Comments and Responses

One commenter provided general support of the QIS program. Two commenters provided feedback on the QIS form. The latter two commenters suggested increasing the character limits for Element 22 *(Rationale for QIS)*, Element 23 *(Activity(ies) that Will Be Conducted to Implement the QIS)*, Element 30 *(Summary of Progress)*, and Element 32 *(Mitigation Activities)* to provide more flexibility when responding to each element. Two commenters requested an option to select "Add" and "Remove" from Element 28 *(Modifying Product Types)* because it is possible for an issuer to simultaneously add and remove the same product type. One commenter supported removal of former Criteria 21b and 27b from the QIS form.

Two commenters proposed removing collection of data for QIS Goals from Element 19 *(QIS Description)* because the information is collected again in Element 24 *(Goal(s), Measure(s), and Performance Target(s) to Monitor QIS Progress)*. Both of these commenters recommended adding an area to capture Standard Component IDs (SCIDs) in Element 2 *(Targets All Health Plans and Product Types Offered Through an Exchange)* if an issuer selects "Subset of QHPs."

Two commenters suggested delaying the annual QIS submission deadline from June 20 to August 1 as Healthcare Effectiveness Data and Information Set (HEDIS) measure data are not finalized until June 29; therefore, issuers can include only preliminary measure results in the QIS form. Two commenters requested CMS provide prepopulated QIS forms for each issuer, stating that copying and pasting the implementation plan each year was burdensome.

CMS has addressed these comments by refining the QIS form, as well as by providing the clarifications below. CMS increased the character limits for Element 22 *(Rationale for QIS)*, Element 23 *(Activity(ies) that Will Be Conducted to Implement the QIS)*, *Element 30 (Summary of Progress)*, and Element 32 *(Mitigation Activities)* to allow issuers to provide more information for these Elements. CMS modified Element 28 *(Modifying Product Types)* to have checkboxes, so issuers have the option to simultaneously select "Add" and "Remove" product types.

CMS clarifies that the QIS Goals are only scored in Element 19 and are not double-counted in Element 24. When the issuer fills in the QIS Goals in Element 19 *(QIS Description)*, the QIS Goals are automatically prepopulated in Element 24 *(Goal(s), Measure(s), and Performance Target(s) to Monitor QIS Progress)* to help the issuer keep the measure information with each Goal. CMS also clarifies that there are alternate methods to check SCIDs for compliance; therefore, to reduce burden and prevent user errors, CMS will not collect SCIDs through the QIS form.

At this time, the QIS submission deadline for FFE issuers (including QHP issuers offered in FFEs where States perform plan management) is aligned to the CCIIO QHP Application Period timeline to streamline and create minimally burdensome QIS information collection for QHP certification purposes. CMS recognizes that certain measures may not be finalized and may

contain preliminary results; however, issuers are not penalized for not achieving performance targets. CMS will investigate the feasibility of providing prepopulated QIS forms to issuers and continue to consider further refinements to improve clarity and reduce burden.

Specific comments and responses:

Comment: Commenters suggested increasing the character limits for Element 22 *(Rationale for QIS),* Element 23 *(Activity(ies)) that Will Be Conducted to Implement the QIS),* Element *30 (Summary of Progress),* and Element 32 *(Mitigation Activities)* to provide more flexibility when responding to each element.

Response: CMS increased the character limits for Element 22 *(Rationale for QIS),* Element 23 *(Activity(ies)) that Will Be Conducted to Implement the QIS),* Element 30 *(Summary of Progress)* and Element 32 *(Mitigation Activities)* to allow issuers to provide more information for each of these elements.

Comment: Commenters requested an option to select "Add" and "Remove" from Element 28 *(Modifying Product Types)* because it is possible to simultaneously add and remove the same product type.

Response: CMS reformatted Element 28 *(Modifying Product Types)* to include checkboxes, so issuers can simultaneously select "Add" and "Remove" product types.

Comment: Commenters proposed removing data collection for QIS Goals from Element 19 *(QIS Description)* because the information is collected again in Element 24 *(Goal(s), Measure(s), and Performance Target(s) to Monitor QIS Progress)*.

Response: CMS clarifies that the QIS Goals are only scored in Element 19 and are not double-counted in Element 24. When the issuer fills in the QIS Goals in Element 19 *(QIS Description),* the QIS Goals are automatically prepopulated in Element 24 *(Goal(s), Measure(s), and Performance Target(s) to Monitor QIS Progress)* to help the issuer keep the measure information with each goal.

Comment: Commenters recommended adding an area to capture Standard Component IDs (SCIDs) in Element 2 *(Targets All Health Plans and Product Types Offered Through an Exchange)* if an issuer selects "Subset of QHPs."

Response: CMS clarifies that there are alternate methods to check SCIDs for compliance; therefore, to reduce burden and prevent user errors, CMS will not collect SCIDs through the QIS form.

Comment: Commenters expressed concern regarding the annual June 20 QIS submission deadline and suggested delaying the deadline to August 1. Healthcare Effectiveness Data and Information Set (*HEDIS*) measure data are not finalized until June 29; therefore, issuers can include only preliminary measure results in the QIS form if they must submit the form by June 20.

Response: At this time, the QIS submission deadline for FFE issuers (including issuers in FFEs where States perform plan management) is aligned to CCIIO's QHP Application Period timeline. CMS aligned these two deadlines to streamline and create minimally burdensome QIS information collection for QHP certification purposes. CMS recognizes that certain measures in QIS submissions may not be finalized and may contain preliminary results; however, issuers are not penalized for not achieving performance targets.

Comment: Commenters requested that CMS provide prepopulated QIS forms for each issuer, stating that copying and pasting the Implementation Plan each year was burdensome.

Response: CMS will investigate the feasibility of providing prepopulated QIS forms to issuers and will continue to consider further refinements to improve clarity and reduce burden.