

Justification for No material/Nonsubstantive Change

The Department is submitting a no material/non-substantive change request for the Summary of Benefits and Coverage and the Uniform Glossary Required Under the Affordable Care Act (OMB Control Number 1210-0147, which currently is scheduled to expire on May 31, 2022). As further discussed below, the Department is not making any program changes to the forms and instructions at this time.

The Department of Health and Human Services (HHS), the Department of Labor (DOL), and the Department of the Treasury, in consultation with the National Association of Insurance Commissioners (NAIC) and a working group comprised of stakeholders, developed standards for use by a group health plan and a health insurance issuer in compiling and providing to applicants, enrollees, policyholders, and certificate holders a summary of benefits and coverage (SBC) explanation that accurately describes the benefits and coverage under the applicable plan or coverage.

As part of the SBC's coverage examples, a plan or issuer simulates claims processing for clinical care provided under specified scenario using the services, dates of service, billing codes, and allowed amounts provided by HHS. Benefits scenarios are based on recognized treatment guidelines as defined by the National Guideline Clearinghouse. Allowed amounts for each service are based on national averages. Plans and issuers follow instructions for estimating and displaying costs in a standardized format authorized by HHS. The purpose of the coverage examples tool is to help consumers synthesize the impact of multiple coverage provisions in order to compare the level of protection offered by a plan or coverage for common benefit scenarios.

In response to the reduction of the individual shared responsibility payment to zero the SBC Template, Sample Completed SBC, and instructions documents will be revised to remove the statement, "If you don't have Minimum Essential Coverage for a month, you'll have to make a payment when you file your tax return unless you qualify for an exemption from the requirement that you have health coverage for that month."

The SBC Template and Sample Completed SBC is also being updated with the Total Example Cost numbers based on the updated Marketscan data. The Sample Completed SBC includes an updated example date range. The updates to the instructions documents include revising links and updating rounding rules instructions per updated calculator and updated applicability date.

The Department notes that this change will affect approximately 2.3 million health plans and 72.8 million policy holders who would receive the SBCs. This change is non-material and will not affect the hour or cost burden associated with the annual information collection.