

Appendix E: Comment & Response Summary
**Annual Eligibility Redetermination, Product Discontinuation and
Renewal Notices (CMS-10527/0938-1254)**

Comment: One commenter stated that notices are more effective when simplified and personalized, and that the current renewal notice templates are lengthy. They suggested publishing a list of data elements that need to be included in renewal notices instead of requiring issuers to use a standard renewal notice template. They stated that this would allow issuers to provide shorter notices and to customize the notices, including by providing state-specific information. Recognizing that issuers may not receive updated subsidy information in time to incorporate that information into their renewal notices, they also suggested that the open enrollment notices sent by Exchanges to enrollees at the beginning of open enrollment should include updated and accurate subsidy amounts available to enrollees.

Response: We thank the commenter for their suggestions. The standard renewal and product discontinuation notices contain information that consumers need in order to understand the annual reenrollment process and the Exchange redetermination process, as well as to make appropriate decisions regarding their coverage for the next plan year. We believe that requiring the use of the notice template helps ensure that issuers provide this important information to consumers in a standardized format. Additionally, we believe assisters, such as agents, broker and Navigators, are better equipped to help consumers understand renewal and product discontinuation notices when consumers receive a standard notice from all issuers. While we acknowledge that some issuers would appreciate the flexibility to develop their own notices, we believe that issuers generally find a standard renewal template helpful in conveying the necessary information to consumers. States have the flexibility to develop their own standard notices if they require issuers to include specific information in those notices. Additionally, issuers are permitted to provide cover letters with additional or clarifying information. Therefore, we are retaining the requirement to use the standard renewal or product discontinuation notice template. However, we agree with the commenter that notices are more effective when simplified and personalized, and welcome feedback regarding how to effectively simplify the notices, and further personalize them.

With regard to including updated and accurate subsidy amounts in the open enrollment notices sent by Exchanges, we agree that including this information would help consumers. However, timing constraints prevent this. Specifically, because advanced payments of the premium tax credit (APTC) cannot be calculated until the qualified health plan landscape is finalized, APTC cannot be calculated on the open enrollment notices sent by the Exchanges, which generally occur before issuer renewal notices. Therefore, we continue to require that issuers include the auto-redetermined eligibility sent by the Exchange in the initial notice, if available, or in a supplementary notice or the January premium bill if eligibility information is received later. A consumer's financial assistance is most easily evaluated by a consumer when offset against the future coverage's premium, which the issuer notice provides.