

Supporting Statement A  
State Based Marketplace Enrollment Data  
and Financial Reporting  
(CMS-10371/OMB control  
number: 0938-1119)

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## **A. Background**

The Patient Protection and Affordable Care Act, Public Law 111-148, enacted on March 23, 2010, and the Health Care and Education Reconciliation Act, Public Law 111-152, enacted on March 30, 2010 collectively, “Affordable Care Act”, expanded access to health insurance for individuals and employees of small businesses through the establishment of new Affordable Insurance Exchanges (Exchanges), including the Small Business Health Options Program (SHOP). Beginning January 1, 2014, the Exchanges became operational. The Exchanges enhance competition in the health insurance market, expand access to affordable health insurance for millions of Americans, and provide consumers with a place to easily compare and shop for health insurance coverage.

States can choose to establish and operate a State-based Exchange (SBE) or a State-based Exchange on the Federal Platform (SBE-FP). States electing to operate as an SBE-FP rely on the Federal Healthcare.gov platform to carry out eligibility and enrollment functions. For states that do not elect to operate either an SBE or SBE-FP, the Secretary of the U.S. Department of Health and Human Services (HHS) will establish and operate a Federally-facilitated Exchange (FFE) in those states.

Pursuant to 45 CFR §155.105, states seeking to establish and operate an SBE or SBE-FP must receive approval or conditional approval from CMS through the submission of an Exchange Blueprint Application. For PY 2025, CMS estimates 19 states and the District of Columbia, will operate an SBE and 3 states will operate an SBE Approval or conditional approval to operate an SBE or SBE-FP is contingent on the states meeting the following conditions: timely demonstration of the ability to perform all required Exchange activities, ongoing compliance with future guidance and regulations; and ability to be sustainable. CMS tracks SBE and SBE-FP ongoing compliance through reporting requirements described under 42 CFR §155.1200(b). CMS also publishes enrollment data collected from the SBEs in coordination with the FFE to provide public transparency into Exchange performance.

Cooperative Agreements to Support Establishment of the Affordable Care Act’s Health Insurance Exchanges (“Establishment Grants”) were awarded to states to support activities for implementing integral functional requirements of health insurance Exchanges within a state. As of January 1, 2020, there were no active establishment grants. As a result of the end of the grants, this ICR’s previous title “Cooperative Agreements to Support Establishment of State-Operated Health Insurance Exchanges” is being changed to “State Based Marketplace Enrollment Data and Financial Reporting”.

This ICR includes updates to the definitions and new data collection elements to the following reporting templates. It includes alignment of data metric collection with FFE metric definitions to support distribution of enrollment metrics across the Exchanges and reduce burden of ad hoc requests. It also includes revisions to defined budget categories to streamline the collection of SBE and SBE-FP financial sustainability information.

- State Based Marketplace Data Collection Templates
  - o Bi-Annual Reporting
  - o Priority Open Enrollment Period Weekly and Expanded End of Open Enrollment Reporting
- SBEs and SBE-FPs Annual Budget Report Template

Note: The terms Marketplace and Exchange are used interchangeably throughout the document and tools.

## **B. Justification**

### **1 Need and Legal Basis**

Under 42 CFR §155.1200(b), SBEs are required to report to CMS on Exchange related activities and provide performance monitoring data. SBEs must provide this data at least annually and in the manner, format, and deadlines specified by CMS. In this ICR, CMS is requesting modification to update the two templates: the State Based Marketplace Data Collection Templates and the SBEs and SBE-FPs Annual Budget Report Template to clarify reporting definitions and add additional data metrics. Although this modification request results in a net increase in reporting a metrics and burden, this is a necessary adjustment to ensure alignment and consistency of reporting with Federally Facilitated Marketplace (FFM) states. Additionally, this change supports the ongoing data transparency initiatives which are crucial for enhancing accountability and information sharing. These refinements will ultimately contribute to more effective performance monitoring and benchmarking across all levels.

### **2 Information Users**

Information collected pursuant to the reporting requirements for SBEs will be used by CMS to evaluate states in developing and implementing Exchanges, and determine how the Secretary can provide assistance, conduct effective oversight, and ensure program integrity to achieve the goals of the ACA.

### **3 Use of Information Technology**

The information collection requirements associated with these ICRs will primarily involve programmatic narrative, accompanying budget narrative and appropriate supporting documentation, and provision of performance outcome and operational data by SBEs and SBE-FPs. The SBEs are not required to track or submit any personally identifiable data. It is expected that states will create data with readily available word processing, spreadsheet programs, and rely on source data from information systems developed from grant funding, ACA section 1332 Waiver grants, or state funding sources and submit such information electronically. This should result in 100 percent of information being transmitted electronically.

#### Government Paperwork Elimination Act (GPEA)

*Is this collection currently available for completion electronically?*

- Yes, SBEs are required to send electronic reporting to CMS. For the State Based Marketplace Data Collection Templates, SBEs submit reports to CMS via [SERVIS \(https://portal.cms.gov/servis/\)](https://portal.cms.gov/servis/) and/or e-mail. For the SBEs and SBE-FPs Annual Budget Reports, SBEs and SBE-FPs submit via [SERVIS \(https://portal.cms.gov/servis/\)](https://portal.cms.gov/servis/)

*Does this collection require a signature from the respondent(s)?*

- No.

*If CMS had the capability of accepting electronic signature(s), could this collection be made available electronically?*

- Not Applicable

*If this collection isn't currently electronic but will be made electronic in the future, give a date (month & year) as to when this will be available electronically and explain why it can't be done sooner.*

- Not applicable since all data collections are electronic.

*If this collection cannot be made electronic or if it isn't cost beneficial to make it electronic, please explain.*

- Not applicable since all data collections are electronic.

#### **4 Duplication of Efforts**

This information collection does not duplicate any other federal information collection.

#### **5 Small Businesses**

This collection does not impact small businesses or other small entities.<sup>1</sup>

#### **6 Less Frequent Collection**

CMS cannot conduct data collection less frequently. Due to the required flow of information between multiple parties, it is necessary to collect information according to the indicated frequencies. Collecting information less frequently could result in non-compliance with the law or consumer harm.

#### **7 Special Circumstances**

There are no special circumstances for this information collection.

#### **8 Federal Register/Outside Consultation**

A 60-day Notice published in the Federal Register on December 02, 2024 (89 FR 95217). Comments are included and responded to in Appendix A. The 30-day notice published on May 21, 2025 (90 FR 21775). No additional outside consultation was sought.

#### **9 Payments/Gifts to Respondents**

No payments and/or gifts will be provided to respondents.

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<sup>1</sup> Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2019

## 10 Confidentiality

To the extent of the applicable law and CMS policies, we will maintain respondents' privacy with respect to the information collected.

## 11 Sensitive Questions

There are no sensitive questions included in this information collection effort.

## 12 Burden Estimates (Hours and Wages)

To derive average costs, we used data from the U.S. Bureau of Labor Statistics May 2024 National Occupational Employment and Wage Estimates for all salary estimates (<https://data.bls.gov/oes/#/industry/000000>). Table 1 presents the mean hourly wage, the cost of fringe benefits (calculated at 100 percent of salary), and the adjusted hourly wage. We estimate it will take a General and Operations Manager (11-1021) \$128.00 per hour to oversee the reporting requirements, a Management Analyst (13-1111) \$110.30 per hour to assemble and review each report, a Software Developer (15-1252) \$139.00 to compile data and develop, and an Administrative Assistant (43-6010) \$50.06 to submit the information.

Table 1 – Wage Rates

Occupation Title	Occupation Code	Mean Hourly Wage (\$/hr)	Fringe Benefits and Overhead (\$/hr)	Adjusted Hourly Wage (\$/hr)
General and Operations Manager	11-1021	\$64.00	\$64.00	\$128.00
Management Analyst	13-1111	\$55.15	\$55.15	\$110.30
Software Developer	15-1252	\$69.50	\$69.50	\$139.00
Administrative Assistant	43-6010	\$25.03	\$25.03	\$50.06

We are adjusting our employee hourly wage estimates by a factor of 100 percent. This is necessarily a rough adjustment, both because fringe benefits and overhead costs vary significantly from employer to employer, and because methods of estimating these costs vary widely from study to study. Nonetheless, we believe that doubling the hourly wage to estimate total cost is a reasonably accurate estimation method.

### 12.1 Requirements and Associated Burden Estimates

This ICR reflects revisions to the State Based Marketplace Data Collection Templates for Bi-Annual reporting, Weekly Priority Open Enrollment Period Reporting and Expanded End of Open Enrollment Reporting, and the SBEs and SBE-FPs Annual Budget Report Template resulting in a net increase of reporting metrics and burden. For PY 2025, CMS anticipates 20 SBEs and 3 states SBE-FPs. The State Based Marketplace Data Collection Templates have updates to provide clarification for select reporting definitions and provide additional data element requirements. States are required to report select priority enrollment metrics on a weekly basis during the state's Open Enrollment period, expanded enrollment metrics once at



the conclusion of the state-specific Open Enrollment period, and additional enrollment and operations metrics bi-annually. These measures relate to volume and effectiveness of Exchange call centers, web portals, enrollment processes, outreach and education efforts, and enrollee demographics. The purpose of this reporting is for CMS to ensure compliance with Exchange responsibilities and adherence by states to the standards set forth in the ACA and regulation.

## 12.2 State Based Marketplace Data Collection Templates for Bi-Annual Reporting

A total of 20 State Based Exchanges are required to fulfill reporting requirements bi-annually. We estimate that four personnel will be involved in the developing and submitting this reporting, including assembling, reviewing, finalizing, and submitting each report, and that each SBE will submit these reports two times during the PY. We estimate it will take a General and Operations Manager 1.2 hours (\$153.60) to oversee the reporting requirements for each response. We estimate it will take a Management Analyst 6.6 hours (\$727.98) to assemble and review each report. A Software Developer 3 hours (\$417.00) to compile data and develop, and an Administrative Assistant 1.5 hours (\$75.09) to submit the information. Thus, it will take 12.3 hours to complete one bi-annual report, or 24.6 hours annually. The annual cost of bi-annual reporting requirement per SBE totals \$2,747.34 per year. The total annualized burden for 20 SBEs to provide the two reports is 492 hours and \$54,946.80.

Table 2 – Burden and Cost Estimates Associated for Bi-Annual Metrics

Labor Category	Staff Count	Adjusted Hourly Wage (\$/hr)	Burden Hours	Buden Cost (per respondent)	Number of Responses (per respondent)	Total Burden Cost (20 respondents)
General and Operations Manager 11-1021	1	\$124.36	1.2	\$153.60	2	\$6,144.00
Management Analyst 13-1111	1	\$111.08	6.6	\$727.98	2	\$29,119.20
Software Developer 15-1252	1	\$132.80	3	\$417.00	2	\$16,680.00
Administrative Assistant 43-6010	1	\$47.90	1.5	\$75.09	2	\$3,003.60
<b>Total – Annual</b>	–	–	<b>12.3</b>	<b>\$1,373.67</b>	–	<b>\$54,946.80</b>

## 12.3 Priority Open Enrollment Period and Expanded End of Open Enrollment Reporting

During Open Enrollment periods, states are required to report some metrics on a weekly basis. This reporting helps to gauge effectiveness, and more closely track, those measures which have the most potential to adversely impact beneficiaries and their ability to enroll in insurance plans.

## A. Burden for Open Enrollment Weekly Reporting

We estimate that four personnel will be involved in the developing and submitting this reporting, including assembling, reviewing, finalizing, and submitting each report, and that each SBE will submit these reports every week during Open Enrollment – for average of 14 times within a 12-month period. We estimate it will take a General and Operation Manager 1.1 hours (\$140.80) to oversee the reporting requirements for each response. We estimate it will take a Management Analyst 12.1 hours (\$1,334.63) to assemble and review each report. A Software Developer 5.5 hours (\$764.50) to compile data and develop, and an Administrative Assistant 2.75 hours (\$137.67) to submit the information. The annual cost of weekly reporting requirement per SBE totals \$33,286.33.85 per year. The total annualized burden for 20 SBEs to provide 14 weekly reports is 6,006 hours and \$665,726.60.

Table 3 – Burden and Cost Estimates Associated with Priority Open Enrollment Period Weekly Reporting

Labor Category	Staff Count	Adjusted Hourly Wage (\$/hr)	Burden Hours	Buden Cost (per respondent)	Number of Responses (per respondent)	Total Burden Cost (20 respondents)
General and Operations Manager 11-1021	1	\$128.00	1.1	\$140.80	14	\$39,424.00
Management Analyst 13-1111	1	\$110.30	12.1	\$1,334.63	14	\$373,696.40
Software Developer 15-1252	1	\$139.00	5.5	\$764.50	14	\$214,060.00
Administrative Assistant 43-6010	1	\$50.06	2.75	\$137.67	14	\$38,546.20
<b>Total – Annual</b>	–	–	<b>21.45</b>	<b>\$2,377.60</b>	–	<b>\$665,726.60</b>

## B. Expanded End of Open Enrollment Reporting

States are required to report some metrics at the conclusion of Open enrollment. This reporting helps to gauge effectiveness and more closely track those measures which have the most potential to adversely impact beneficiaries and their ability to enroll in insurance plans.

A total of 20 State Based Exchanges are required to submit an expanded report at the end of Open Enrollment. We estimate that four personnel will be involved in the developing and submitting this reporting, including assembling, reviewing, finalizing, and submitting the report, and that each SBE will submit once at the close of Open Enrollment – (once per year). We estimate it will take a General and Operations Manager 2 hour (\$256.00) to oversee the reporting requirements for each response. We estimate it will take a Management Analyst 11.7 hours (\$1,290.51) to assemble and review each report. A Software Developer

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5.3 hours (\$736.70) to compile data and develop, and an Administrative Assistant 3 hours

(\$150.18) to submit the information. Thus, it will take 22 hours to complete the expanded report, due once annually. The annual cost of the expanded reporting requirement per SBE totals \$2,433.39 per year. The total annualized burden for 20 SBEs to provide one expanded report is 440 hours and \$48,667.80.

*Table 4 – Burden and Cost Estimates Associated with Expanded End of Open Enrollment Weekly Reporting*

<b>Labor Category</b>	<b>Staff Count</b>	<b>Adjusted Hourly Wage (\$/hr)</b>	<b>Burden Hours</b>	<b>Buden Cost (per respondent)</b>	<b>Total Burden Cost (20 respondents)</b>
General and Operations Manager 11-1021	1	\$128.00	2	\$256.00	\$5,120.00
Management Analyst 13-1111	1	\$110.30	11.7	\$1,290.51	\$25,810.20
Software Developer 15-1252	1	\$139.00	5.3	\$736.70	\$14,734.00
Administrative Assistant 43-6010	1	\$50.06	3	\$150.18	\$3,003.60
<b>Total – Annual</b>	–	–	<b>22</b>	<b>\$2,433.39</b>	<b>\$48,667.80</b>

### C. SBEs and SBE-FPs Annual Budget Report Template

SBE and SBE-FPs are required to provide budget reports detailing Exchange expenditures and revenue annually. The template includes information such as the effectuated enrollment per plan for the individual and SHOP Exchanges; type of revenue; and general, marketing and outreach, call center, information technology platform expenditures. These requirements apply to the anticipated 20 states that will be operating an SBE and 3 SBE-FPs anticipated to be operating in PY 2025, for a total of 23 respondents each year.

We estimate that it will take approximately 16 hours per SBE and SBE-FP to assemble, review, finalize, and make available each report annually. We estimate that three personnel will be involved in developing and submitting this report. The total annualized burden for 23 entities to provide the one report is 368 hours and \$37,724.60.

*Table 5 – Burden and Cost Estimates Associated with SBEs and SBE-FPs Annual Budget Reporting*

<b>Labor Category</b>	<b>Staff Count</b>	<b>Adjusted Hourly Wage (\$/hr)</b>	<b>Burden Hours</b>	<b>Buden Cost (per respondent)</b>	<b>Total Burden Cost (23 respondents)</b>
General and Operations Manager 11-1021	1	\$128.00	2.0	\$256.00	\$5,888.00
Management Analyst 13-1111	1	\$110.30	6.0	\$661.80	\$15,221.40

<b>Labor Category</b>	<b>Staff Count</b>	<b>Adjusted Hourly Wage (\$/hr)</b>	<b>Burden Hours</b>	<b>Buden Cost (per respondent)</b>	<b>Total Burden Cost (23 respondents)</b>
General and Operations Manager 11-1021	1	\$128.00	2.0	\$256.00	\$5,888.00
Budget Analyst 13-2031	1	\$90.30	8.0	\$722.40	\$16,615.20
<b>Total – Annual</b>	–	–	<b>16.0</b>	<b>\$1,640.20</b>	<b>\$37,724.60</b>

Table 6 – Burden and Cost Estimates Associated with ICRs

<b>Forms</b>	<b>Type of Respondent</b>	<b>Number of Respondents</b>	<b>Number of Responses per Respondent</b>	<b>Burden per Response (hours)</b>	<b>Total Annual Burden (Hours)</b>	<b>Toal Hourly Labor Cost of Reporting (\$)</b>	<b>Total Annual Labor Cost of Reporting (\$)</b>
Bi-Annual Reporting	State Government	20	2	12.3	492	\$111.68	\$54,946.80
Weekly Reporting	State Government	20	14	21.45	6,006	\$110.84	\$665,726.60
End of Enrollment Reporting	State Government	20	1	22	440	\$110.61	\$48,667.80
SBEs & SBE-FPs Annual Budget Reports	State Government	23	1	16	368	\$102.51	\$37,724.60
<b>Total – Annual</b>	N/A	–	–	<b>71.75</b>	<b>7,306</b>	<b>\$435.65</b>	<b>\$807,065.80</b>

### 13 Capital Costs

There are no additional record keeping/capital costs.

### 14 Cost to Federal Government

Review and approval of the State Based Marketplace Data Collection Template for Bi-Annual reporting, Priority Open Enrollment, Expanded End of Open Enrollment Reporting, and the SBEs and SBE-FPs Annual Budget Report Template requires the combined labor of Federal employees at the levels of GS-13 and GS-11 in the Washington DC area. Based on the General Schedule (GS) pay schedule effective January 2025, a GS-13, Step 1 earns a basic rate of \$57.78 hourly, and a GS-11, Step 1 earns a basic rate of \$40.54 hourly. CMS

then multiplied hourly rates by a standard government benefits multiplication factor of 2 to calculate the adjusted hourly wage. Total annual cost to the federal government is estimated at \$78,216.60.

Table 7 – Cost to Federal Government

Federal Employee	Estimated Cost
<b>Tracking and Review of SBM Data Collection Templates and SBEs and SBE-FPs Annual Budget Report Template</b>	
GS-11, Step 1: 2 x \$40.54 x 493 hours	\$39,972.44
GS-13, Step 1: 2 x \$57.78 x 346 hours	\$39,983.76
Total Costs to the Federal Government	<b>\$79,956.20</b>

## 15 Changes to Burden

OMB previously approved this information collection on May 31, 2022, with a total of 2,821 burden hours. CMS accounted for an increase in the number of SBE and SBE-FPs (from 21 to 23), which increased the total annual burden hours for the four reports remaining in this package from 2,821 to 7,306.

## 16 Publication/Tabulation Dates

CMS publishes information collected on the State Based Marketplace Data Collection Templates during Open Enrollment (November 1 to December 15) through approximately four National Snapshots posted on the [CMS Newsroom](#) and through the on the Enrollment Metrics Public Use File, available on the CMS website here(link): [2024 Marketplace Open Enrollment Period Public Use Files | CMS](#). Additional information collected through the templates may be published on the CCIIO website to provide transparency into SBE operations. Some information collected under these requirements will not be made public but used in the operations of the SBEs, and for CMS oversight purposes.

## 17 Expiration Date

The OMB control number and expiration date will be displayed on the first page (top right-handcorner) of each instrument. The anticipated expiration date is May 31, 2028.

## 18 Exceptions to Certification for Paperwork Reduction Act Submissions

None.