



Special Enrollment Period (SEP)



**Special Enrollment
Period (SEP)
Overview for the
Federally-facilitated
Marketplace**

May 2016

When Consumers Can Enroll in Qualified Health Plan Coverage

- During the Annual Open Enrollment Period (OEP)
 - The 2016 OEP ended on January 31, 2016
 - The 2017 OEP will run from November 1, 2016 through January 31, 2017
 - During a Special Enrollment Period (SEP), if eligible

Special Enrollment Periods (SEPs)

- Consumers who experience a qualifying event can enroll in or change plans through an SEP
 - SEPs provide a pathway to coverage
 - Most SEPs last 60 days from the date of the qualifying event
 - A qualifying event can occur at any point during the year outside of OEP

Regular Coverage Effective Dates

- Regular coverage effective dates for enrollment are:
 - 1) The first day of the month following plan selection if selection took place between the 1st and 15th day of any month; or
 - 2) The first day of the second month following plan selection if selection took place between the 16th and the last day of any month.

Qualifying for an SEP

Consumers may qualify for an SEP to enroll in or change plans if they experience a qualifying event in one of the following six categories:

1. Loss of qualifying health coverage
2. Change in household size
3. Change in primary place of living
4. Change in eligibility for Marketplace coverage or help paying for coverage
5. Enrollment or plan error
6. Other qualifying change

See Fact Sheet – Special Enrollment Periods for the Health Insurance Marketplace:
<https://marketplace.cms.gov/outreach-and-education/special-enrollment-periods-for-marketplace.pdf>

1. Loss of Qualifying Health Coverage

- Consumers may qualify for an SEP if they (or anyone in their household for whom they seek coverage) lose qualifying health coverage. Some examples of qualifying health coverage include:
 - Coverage through a job, or through another person's job
 - This also applies when consumers become newly eligible for help paying for coverage because their employer stops offering coverage or the coverage isn't considered qualifying coverage.

1. Loss of Qualifying Health Coverage (Continued)

- Medicaid or Children’s Health Insurance Program (CHIP) coverage (including pregnancy-related coverage and medically needy coverage)
- Medicare
- Individual or group health plan coverage that ends during the year
- Dependent coverage that a consumer has through a parent’s plan
 - If you turn 26 or the maximum dependent age allowed in your state and lose coverage, you can qualify for an SEP

When Consumer Does Not Qualify for Loss of Qualifying Health Coverage

Consumers do not qualify for the loss of qualifying health coverage SEP if:

- They voluntarily ended their prior coverage (does not apply if you leave your job and, as a result, your health coverage)
- Their coverage ended due to nonpayment of premiums (does not apply where employer coverage ended because the employer didn't pay premiums)
- The coverage they lost did not qualify as minimum essential coverage
- They lost coverage more than 60 days ago

Coverage Effective Dates for Loss of Qualifying Health Coverage SEPs

Situation	Plan Selection Date	Coverage Effective Date
Loss of Qualifying Health Coverage (up to 60 days in the past)	Any day of the month	First day of the following month after plan selection
Future Loss of Qualifying Health Coverage (up to 60 days in the future)	Any day of the month	First day of the month following loss of qualifying health coverage after plan selection

Example: Loss of Employer-Sponsored Coverage

Emma recently decided to leave her job to start her own business. She left her job on April 5, 2016, and her employer-sponsored coverage ended at the end of the month, on April 28

Scenario 1:

- On April 29, 2015, Emma applies for and enrolls in a plan through the Marketplace
- Emma qualifies for a Loss of MEC SEP, and her Marketplace coverage will begin on May 1, 2016

Scenario 2:

- Emma applies for and enrolls in a plan through the Marketplace on May 3, 2016
- Emma qualifies for Loss of MEC SEP, and her Marketplace coverage will begin on June 1, 2016

2. Changes in Household Size

- A consumer may qualify for an SEP if he or she (or anyone in his or her household)
 - Got married
 - Had a baby, adopted a child, or placed a child for foster care
 - Got divorced, legally separated, or had a death in the family and lost health coverage
 - Gained or became a dependent due to a child support or other court order

Coverage Effective Dates for Change in Household Size SEP

Situation	Plan Selection Date	Coverage Effective Date
Gaining a dependent through marriage (up to 60 days in the past)	Any day of the month	First day of the following month after plan selection
Gaining or becoming a dependent due to birth, adoption, or placement for adoption or foster care, or due to a child support or other court order (up to 60 days in the past)	Any day of the month	Day the child was born, adopted, or placed for adoption or foster care, or date that the court order took effect

Example: Marriage

- Bob and Britney got married on May 5
- Britney was already enrolled in a QHP
 - Bob can join her QHP
 - Bob can enroll in a different QHP
 - Britney can enroll in a different plan with Bob
- Bob and Britney have 60 days to report the marriage to the Marketplace and enroll in coverage
- Britney returns to the Marketplace to add Bob to her application, and, after reviewing their plan options, they decide to enroll in a new plan together on May 18
- Coverage in their new plan begins June 1

3. Change in Primary Place of Living

- A consumer may qualify for an SEP if he or she (or anyone in his or her household) has a change in his or her primary place of living and gains access to new QHPs as a result. This includes:
 - Moving to a new home in a new zip code or county where new QHPs are available
 - Moving to the U.S. from a foreign country or United States territory
 - A student moving to or from the place he or she attends school
 - A seasonal worker moving to or from the place he or she lives and works
 - Moving to or from a shelter or other transitional housing

Example: Moving to a New State

- Charles lives in Orlando, FL and is enrolled in a QHP
- Charles moves to Newark, NJ on May 12 to be closer to his family
- Charles has gained access to new QHPs as a result of his move and so may qualify for the permanent move SEP
- However, since Charles has moved states, he must complete a new application for New Jersey in his Marketplace account
- Charles returns to his Marketplace account on May 14, terminates his FL coverage effective May 31, and enrolls in new coverage in New Jersey
- His coverage in New Jersey will begin in June 1

Regulatory

Change to Primary Place of Living SEP

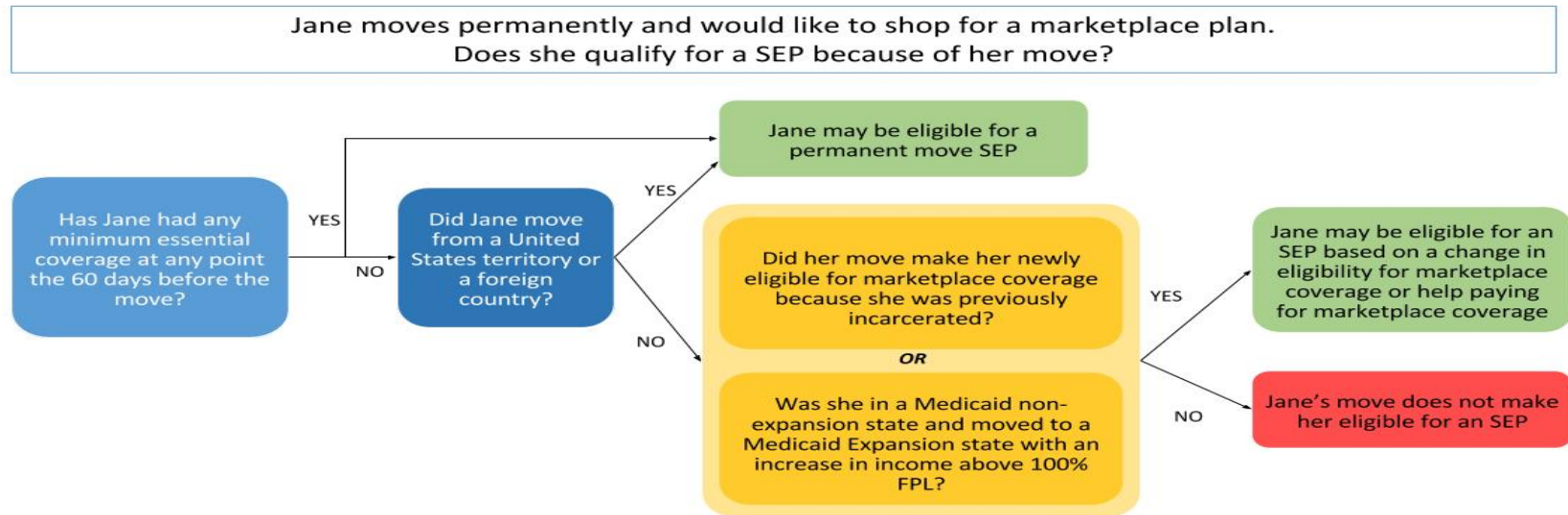
- Starting July 2016, consumers who change their primary place of living must have had qualifying coverage for least one day of in the 60 days prior to their move in order to qualify for this SEP.

Exception: The proposed rule would not apply to consumers who experience a change in primary place of living due to a move:

- (1) from outside the United States or from a United States territory
- (2) Upon leaving incarceration

Changes will take effect on July 11, 2016

Regulatory Change to Primary Place of Living (Continued)



Note: We provided this graphic because it contains additional information that may be useful. As with other external partner resources that we share, we cannot attest to the accuracy of the information provided by third party sites or any linked site, and linking to a non-CMS web site does not constitute an official endorsement by CMS.

<http://www.enrollmentloop.org/groups/three-updates-permanent-move-sep> (last accessed on May 23, 2016)

Coverage Effective Dates for Change in Primary Place of Living SEPs

Situation	Plan Selection Date	Coverage Effective Date
Change in primary place of living	Between the 1 st and 15 th day of the month	First day of the month following plan selection
Change in primary place of living	Between the 16 th and last day of the month	First day of the second month following plan selection

4. Change in Eligibility for Marketplace Coverage or Help Paying for Coverage

A consumer may qualify for an SEP if he or she (or anyone in his or her household):

- Is enrolled in Marketplace coverage and reports a change that makes the consumer:
 - ✓ Newly eligible for help paying for coverage
 - ✓ Ineligible for help paying for coverage
 - ✓ Eligible for a different amount of help paying out-of-pocket costs
- Gains or maintains status as a member of a federally recognized tribe or Alaska Native Claim Settlement Act (ANCSA) Corporation shareholder
- Becomes newly eligible for Marketplace coverage after being released from incarceration

4. Change in Eligibility for Marketplace Coverage or Help Paying for Coverage (Continued)

A consumer may qualify for a SEP if he or she (or anyone in his or her household):

- Becomes newly eligible for Marketplace coverage because he or she has become a U.S. citizen, U.S. national, or lawfully present individual
- Becomes newly eligible for help paying for Marketplace coverage because he or she had a change in household income or moved to a different state and was previously both of these:
 - ✓ Ineligible for Medicaid coverage because he or she lived in a state that hasn't expanded Medicaid
 - ✓ Ineligible for help paying for coverage because his or her household income was below 100% of the Federal Poverty Line (FPL)

Coverage Effective Dates for Change in Eligibility SEP

Situation	Plan Selection Date	Coverage Effective Date
Change in eligibility for Marketplace coverage or help paying for coverage	Between the 1 st and 15 th day of the month	First day of the month following plan selection
Change in eligibility for Marketplace coverage or help paying for coverage	Between the 16 th and last day of the month	First day of the second month following plan selection

Consumers who are members of a federally recognized Indian tribe or Alaska Native Claim Settlement Act (ANCSA) Corporation shareholders can sign up for or change plans once per month throughout the year.

5. Enrollment or Plan Error

A consumer may qualify for a SEP if he or she (or anyone in his or her household):

- Wasn't enrolled in a plan or was enrolled in the wrong plan because of:
 - ✓ Misinformation, misrepresentation, misconduct, or inaction of someone working in an official capacity to help the consumer enroll
 - ✓ A technical error or another Marketplace-related enrollment delay
 - ✓ Wrong plan data (like benefit or cost-sharing information) was displayed in the plan compare feature of HealthCare.gov at the time of plan selection
- Can demonstrate that his or her Marketplace plan has violated a key part (material provision) of its contract

Coverage Effective Dates for Enrollment or Plan Error SEPs

Situation	Plan Selection Date	Coverage Effective Date
Enrollment or Plan Error	Between the 1 st and 15 th day of the month	First day of the following month
Enrollment or Plan Error	Between the 16 th and last day of the month	First day of the second following month

In some cases, qualified individuals can elect retroactive coverage so that their coverage takes effect back to the date the consumer would have gotten absent the error.

6. Other Qualifying Changes

- A consumer may qualify for an SEP if he or she (or anyone in his or her household):
 - Applies for Medicaid/CHIP during an OEP, or due to a qualifying event, and the state agency determined the consumer was not eligible, but did not transfer the application to the Marketplace for the consumer to enroll during OEP or an SEP
 - Is a victim of domestic abuse or spousal abandonment and wants to enroll in a health plan separate from his or her abuser or abandoner
 - Is an AmeriCorps service member starting or ending AmeriCorps service
 - Can show he or she experienced an exceptional circumstance that kept him or her from enrolling in coverage during an enrollment period, like being incapacitated or a victim of a natural disaster

Coverage Effective Dates

Situation	When Does Coverage Start?
Other Qualifying Changes/Exceptional Circumstances	Effective dates appropriate to circumstances

Events that do not trigger an SEP

- Voluntarily dropping other coverage
- Being terminated from other coverage for not paying premiums or for fraud
- Divorce or death of a family member without a resulting loss of coverage
- Moving solely for medical treatment or vacation
- Changing from one legally present status to another (e.g. becoming a U.S. citizen when you are previously a lawfully present individual)

Questions & Review: Qualifying for an SEP

Consumers may qualify for an SEP to enroll in or change plans outside of OEP if they experience a qualifying event in one of the following six categories:

1. Loss of qualifying health coverage
2. Change in household size
3. Change in primary place of living
4. Change in eligibility for Marketplace coverage or help paying for coverage
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Questions?