

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Consumer Information and Insurance Oversight
200 Independence Avenue SW
Washington, DC 20201



June 17, 2016

Mr. Thomas B. Considine
Chief Executive Officer
Atlantic Corporate Center
2317 Route 34, Suite 2B
Manasquan, NJ 08736

Dear Mr. Considine:

Thank you for your letter regarding the use of health savings accounts (HSAs) in Marketplace coverage. I appreciate the time you took to write about this important issue.

In the HHS Notice of Benefit and Payment Parameters for 2017, published on March 8, 2016,¹ we finalized six standardized plan options that issuers in Federally-facilitated Marketplaces (FFMs) may choose to offer in the individual market starting in plan year 2017 to further simplify the consumer plan selection process. We specifically designed plans that would allow enrollees to access some non-preventive services before meeting the plan's deductible. However, we recognize that these cost-sharing structures may not be appropriate for all consumers. CMS believes that high deductive health plans (HDHPs) and HSAs are important options for many consumers. As such, our rules do not require issuers to offer standardized options, nor are we limiting issuers' ability to offer other QHPs, such as HSA-eligible HDHPs. With this flexibility for issuers, we do not anticipate that this new option will make it more difficult for consumers to obtain HSA-compliant plans through the Marketplaces.

We are committed to working with you to continue to improve the Marketplaces and affordable coverage. Please do not hesitate to contact us with any further thoughts or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin J. Counihan", is written over a light blue horizontal line.

Kevin J. Counihan
Chief Executive Officer, Health Insurance Marketplaces
Director, Center for Consumer Information & Insurance Oversight

¹ Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2017; Final Rule (81 FR 12204); March 8, 2016. Available at: <https://www.federalregister.gov/articles/2016/03/08/2016-04439/patient-protection-and-affordable-care-act-hhs-notice-of-benefit-and-payment-parameters-for-2017>