

Cover Page

QHP Model Contract for Individual Market Second Round Comments

The following is the Covered California response to “Second Round” comments received for the 2023-2025 QHP Individual Model Contract.

All documents will be posted to the Plan Management HBEX webpage:
<https://hbex.coveredca.com/stakeholders/plan-management/>.

Article-Section No.	Article-Section Title	Comment Date	Comment	Response
2.2.6 g)	Change to Agent of Record	12/3/2021	Section [Agent of Record] the days were changed from 5 to 10 days, however for [Change to Agent of Record] they were left at 5 days, please confirm this sections shouldn't be changed to 10 days as well.	<p>Covered California agrees with the request and the contract has been updated.</p> <p>"g) Change to Agent of Record. Individuals may notify Covered California of an Agent delegation change. Covered California shall send notice of the delegation change to the Contractor via the 834 maintenance file or a weekly reconciliation file. Upon receipt of the notification, Contractor shall approve the delegation (unless an Agent is not licensed, not appointed, the agent or agency is not certified, or such delegation would conflict with Contractor's vesting provisions of its agent agreements) and has five ten (510) Days to update their system to reflect this change...:</p>
2.2.6 h)	Carrier Scorecard	12/6/21, 10/4/21	<p>On 10/4/21 we submitted the comment: If Covered California will not be providing carrier feedback on the Carrier Scorecard we request this be removed. This does not appear in the QDP Model Contract.</p> <p>Covered California responded with: No contract change will be made.</p> <p><u>Updated 12/6/21 comment:</u> We respectfully request Covered California update this section to indicate that it will share the results of the survey with Contractor.</p>	<p>Covered California agrees to make the following contract change: "Covered California will <u>share the results of each, QHP Issuer specific Agent survey with each QHP Issuer alone</u> , and utilize <u>it</u> to identify areas of improvement and work with QHP Issuers to improve performance."</p>

Article-Section No.	Article-Section Title	Comment Date	Comment	Response
2.4.4	Mailing Addresses; Other Enrollment Information	12/6/21, 10/4/21	<p>On 10/4/21 we submitted the comment: The capturing of Race and Ethnicity, Written and Spoken language, Gender identity, Sexual orientation, Disability status is critical to meeting certain aspects of other contractual requirements such as in Attachment 7 and Attachment 14/X. We request Covered California take steps towards requiring these fields on the application, if permitted by law. Capturing this information at time of enrollment is most appropriate and alleviates administrative burden on plans to collect this information that Covered California could have access to. In addition, there may be requirements for NCQA MHCD and/or Health Equity regarding the capturing of this enrollment information which is most appropriately collected at time of enrollment by Covered California.</p> <p>Covered California responded with: The comment doesn't address intent of this contract section. The reference to 'Other Enrollment Information' is enrollment information, not race and ethnicity which is the purview of Attachment 7. Since Enrollees may update through Covered California their address, family size, income, or other data points which potentially affect which plans they may enroll in, it's important the data sent by Covered California to the Contractor be updated. No contract change will be made.</p> <p><u>Updated 12/6/21 comment:</u> Since "other enrollment information" is not defined in this section of the Model Contract and this type of "enrollment information" either is or should be in a future state included on 834 and 834 maintenance transactions, we continue to request this change. We request Covered California take steps towards requiring these fields at time of application, if permitted by law. Capturing this information at time of enrollment is most appropriate and alleviates administrative burden on plans to collect this information that Covered California could have access to. Following initial enrollment updates to this information should be bidirectional with Contractor.</p>	<p>Covered California's position remains consistent with prior responses. We agree the enrollment application is an important opportunity to collect this information but Covered California does not intend to pursue mandatory race and ethnicity questions in the enrollment application. Covered California is analyzing voluntary response rates to the race and ethnicity questions by service channel and considering ways to provide training and support to enrollers in order to improve these response rates.</p> <p>Covered California will continue to explore opportunities to improve capture of member self-identified race and ethnicity data.</p> <p>No contract change will be made.</p>

Article-Section No.	Article-Section Title	Comment Date	Comment	Response
2.4.4	Mailing Addresses; Other Enrollment Information	12/6/21, 10/4/21	<p>On 10/4/21 we submitted the comment: We are concerned that this section does not make it clear what "other enrollment information" QHPs must update on a continuous basis from Covered California. If QHPs are expected to make outreach, such as for Race/Ethnicity and Written/Spoken language, then we have a challenge regarding what data is most accurate. Example: 834 no race, member provides race to QHP as AI/AN, member provides Covered California race as White, Covered California sends maintenance 834 as White. There is a conflict whether QHP should be showing AI/AN or White. Alternatively, if the consumer didn't communicate with Covered California and we still received a Maintenance 834 for some other reason, that blank race information may overwrite what the member told the carrier directly.</p> <p>Covered California responded with: Issuers receive enrollee reported updates to enrollment information (address, family size, income) on the 834 maintenance file. Since this potentially affects which plans they may enroll in, it's important the data sent by Covered California to the Issuer be updated. As previously reported, no race/ethnicity data will be collected here.</p> <p><u>Updated 12/6/21 comment:</u> Since "other enrollment information" is not defined in this section of the Model Contract and this type of "enrollment information" either is or should be in a future state included on 834 and 834 maintenance transactions, we continue to request this change. Race/Ethnicity is passed on 834 maintenance files today from what we understand. We request Covered California take steps towards requiring these fields at time of application, if permitted by law. Capturing this information at time of enrollment is most appropriate and alleviates administrative burden on plans to collect this information that Covered California could have access to. Following initial enrollment updates to this information should be bidirectional with Contractor.</p>	<p>Covered California's position remains consistent with prior responses. We agree the enrollment application is an important opportunity to collect this information but Covered California does not intend to pursue mandatory race and ethnicity questions in the enrollment application. Covered California is analyzing voluntary response rates to the race and ethnicity questions by service channel and considering ways to provide training and support to enrollers in order to improve these response rates.</p> <p>Covered California will continue to explore opportunities to improve capture of member self-identified race and ethnicity data.</p> <p>No contract change will be made.</p>

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2.4.4	Mailing Addresses; Other Enrollment Information	12/6/21, 10/4/21	<p>On 10/4/21 we submitted the comment: We request consideration be made that there are mutually agreed upon additional fields that carriers send back to Covered California. As an example, if carriers are to update Race/Ethnicity data, we wonder if that should be sent to Covered California to update your records as well.</p> <p>Covered California responded with: As previously reported, no race/ethnicity data will be collected here.</p> <p><u>Update 12/6/21 comment:</u> Race/Ethnicity is passed on 834 maintenance files today from what we understand. We request Covered California take steps towards requiring these fields at time of application, if permitted by law. Capturing this information at time of enrollment is most appropriate and alleviates administrative burden on plans to collect this information that Covered California could have access to. Following initial enrollment updates to this information should be bidirectional with Contractor.</p>	<p>Covered California's position remains consistent with prior responses. We agree the enrollment application is an important opportunity to collect this information but does not intend to pursue mandatory race and ethnicity questions in the enrollment application. Covered CA is analyzing voluntary response rates to the race and ethnicity questions by service channel and considering ways to provide training and support to enrollers in order to improve these response rates.</p> <p>Covered CA will continue to explore opportunities to improve capture of member self-identified race and ethnicity data.</p> <p>No contract change will be made.</p>

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3.3.3	Network Stability	12/6/21, 10/4/21	<p>On 10/4/21 we submitted the comment: c) We request the 10% change be limited to providers, not enrollees. Please change to "10% network reduction in a region"</p> <p>Covered California responded with: Ten percent of Enrollees establishes a safety net for rural regions. No contract change will be made.</p> <p><u>Update 12/6/21 comment:</u> We continue to request the change be made from impacted "enrollees residing" to "10% network reduction in a regions". Using network reduction makes this a simple calculation. Essentially, when there is a 10% reduction you are notified. However, the use of "enrollees residing" makes this significantly more complicated. Are you talking about members that saw those specific doctors? How recently did they need to see those doctors to know whether or not they are really needing to change? What if they never saw the impacted doctors? So the provider network process for this reporting would need to look at provider data, enrollment information, and claims information as part of the analysis. This is significantly more complicated than just reporting a 10% network reduction relying on provider network data.</p>	<p>Covered California will maintain contract language for a reporting threshold of a ten percent reduction in providers for Enrollees within any county to establish a safety net for rural regions. A report of regional network reductions with a reporting threshold of a 10% reduction of providers can miss the impact to many low population counties where the loss of a provider might represent a hardship.</p> <p>Covered California has added contract language referring Contractors to the QHP (or QDP) Network Disruption Reporting Template for details.</p> <p>"c)Network Disruptions. If Contractor experiences any network hospital with a pending contract termination, including any hospitals that may experience a break in maintaining a continuous contract, Contractor shall provide prior notice to Covered California as defined in 3.3.3c)i. If Contractor experiences any other provider network disruptions or other similar circumstances that make it necessary for 10% of Enrollees residing within any county of an affected region to change Participating Providers, as detailed in the QHP Network Disruption Reporting Template of QHPs, Contractor agrees to provide prior notice to Covered California as defined in 3.3.3c)i., in accordance..."</p> <p>The guidance portion of the Network Disruption Reporting Template will be updated for 2023 with a definition and calculation for this reporting requirement.</p>