

## **Instructions for 2023 Renewal/Rate Notifications by Issuers for Individual and Small Group Hospital/Medical Policies**

The Affordable Care Act requires health issuers to send notification of the renewal of health insurance policies to policyholders in the individual and small group markets. Issuers are also required to send notification of approved rate changes pursuant to Insurance Law §§ 3231(e) and 4308(c).

HHS/CCIIO developed model notices for this purpose, but also provided states with the option of developing state-specific notices so long as the state notices include all of the essential information required for inclusion in the federal notices.

The Department of Financial Services drafted models for renewal notices that, in most cases, combine notification of renewal with the required rate notice. Below is a list of notices posted on the DFS website and their applicability to policies sold on or off NY State of Health: The Official Health Plan Marketplace (“Marketplace”).

- (1) Combination renewal/rate notice applicable to individuals with policies sold off the Marketplace. <add link>
- (2) Notice of benefit changes and coverage options applicable to individuals with policies sold on the Marketplace. <add link>

The Marketplace plans to send the renewal notices to individuals with Marketplace coverage by November 1, 2022. The issuer’s notice of benefit changes and coverage options for 2023 should be sent by issuers no later than November 1, 2022. The Marketplace will send an additional notice to individuals with Marketplace coverage in December with the premium due after adjustments for Marketplace benefits (such as tax credits or premium assistance). The Marketplace will send an additional notice in early December to consumers who still need to take an action to renew their coverage.

- (3) Combination renewal/rate notice applicable to all small group policy holders. <add link>

Issuers must use these model notices posted on the DFS website for individual and small group policyholders. These notices may not be modified (except where the model notice provides for variability).