

From: [Webb, Brian R.](#)
To: [Health Reform Implementation IR](#)
Subject: Update on Cost-Sharing Reduction Issue
Date: Friday, May 27, 2016 4:48:08 AM
Attachments: [CSR Bulletin - NM.pdf](#)
[CSR - Texas FAQ.docx](#)
[CSR - Texas Form Language.pdf](#)

We sent the FAQ/Bulletin from Texas and New Mexico (attached) to CCIIO for their opinion on whether carriers can include in their contracts language eliminating the cost-sharing reduction if the court decides for the House of Representatives in *House v. Burwell* in future appeals.

Here is the written response from CCIIO to New Mexico:

We've just seen the attached bulletin from the Office the Superintendent, and have serious concerns. Under federal law, an issuer is obligated to provide cost sharing reductions to eligible consumers, and it is not legal to implement a rider with the contingency described here. We look forward to discussing further with you and your teams.

Mandy Cohen at CMS is available to talk with states on this issue if you would like to discuss.

----- CONFIDENTIALITY NOTICE This message and any attachments are from the NAIC and are intended only for the addressee. Information contained herein is confidential, and may be privileged or exempt from disclosure pursuant to applicable federal or state law. This message is not intended as a waiver of the confidential, privileged or exempt status of the information transmitted. Unauthorized forwarding, printing, copying, distribution or use of such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by e-mail or by calling the NAIC Help Desk at (816)783-8500.

You are currently subscribed to the "Health Care Reform Implementation Activities" electronic service as [\[redacted\]](#). For information regarding this service, please contact the NAIC Executive Office: 444 North Capitol St., NW, Washington, DC 20001, 202-471-3969.

To unsubscribe from the "Health Care Reform Implementation Activities" service, send a blank email to unsubscribe-healthcarereform@intlíst.naic.org

To unsubscribe from all NAIC Electronic Services, send a blank email to optoutservices@naic.org

CONFIDENTIALITY NOTICE

This message and any attachments are from the NAIC and are intended only for the addressee. Information contained herein is confidential, and may be privileged or exempt from disclosure