



CMS Creates Additional Marketplace Special Enrollment Period

The Centers for Medicare & Medicaid Services (“CMS”) has determined that the COVID-19 emergency presents exceptional circumstances for consumers in accessing health insurance, and will be providing a new Special Enrollment Period (“SEP”) allowing individuals and families to enroll in individual coverage through the ACA Marketplace.

CMS says that, “Millions of Americans are facing uncertainty and millions of Americans are experiencing new health problems during the pandemic. Due to the exceptional circumstances and rapidly changing Public Health Emergency impacting millions of people throughout the US every day, many Americans remain uninsured or underinsured and still need affordable health coverage.”

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In addition to the annual Open Enrollment Period, an eligible individual may purchase individual health insurance through an ACA Marketplace if they qualify for a SEP.

SEPs occur when an individual experiences certain life events, including loss of health coverage, moving, getting married, having a baby, or adopting a child. Depending on the type of SEP, an individual may have either 60 days before or 60 days following the life event to enroll in a health plan. If the SEP window is missed, the individual may have to wait until the next Open Enrollment Period to apply for coverage.

New SEP

CMS has now announced that, “Starting on February 15, 2021 and continuing through May 15, 2021, Marketplaces using the HealthCare.gov platform will make a SEP available to all Marketplace-eligible consumers who are submitting a new application or updating an existing application. These consumers will newly be able to access the SEP through a variety of channels: through HealthCare.gov directly, the Marketplace call center, or direct enrollment channels.”


Consumers who enroll under this SEP will be able to select a plan with coverage that starts prospectively on the first of the month after plan selection. Consumers will have 30 days after they submit their application to choose a plan.


Current enrollees will be able to change to any available plan in their area without being restricted to the same level of coverage as their current plan. In order to use this SEP, current enrollees will need to go through their application and make any changes if needed to their current information and submit their application in order to receive an “updated eligibility result....This SEP opportunity will not involve any new application questions, or require consumers or enrollment partners to provide any new information not otherwise required to determine

eligibility and enroll in coverage. In addition, consumers won't need to provide any documentation of a qualifying event (e.g., loss of a job or birth of a child), which is typically required for SEP eligibility."

The CMS announcement is at: <https://www.cms.gov/newsroom/fact-sheets/2021-special-enrollment-period-response-covid-19-emergency>

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