

## Discontinued 2017 Marketplace Plans: SEP Eligibility

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People enrolled in 2017 Marketplace plans that are discontinued for 2018 are eligible for the special enrollment period (SEP) for people losing minimum essential coverage. People eligible for the loss of coverage SEP have 60 days before or 60 days after the date their previous coverage ends to enroll in or change plans. For people whose 2017 plans are discontinued for 2018 that date is December 31, 2017.

### Who is eligible for this SEP?

Anyone whose 2017 Marketplace plan was discontinued for 2018 is eligible for an SEP, including:

- People enrolled in 2017 plans with insurers who are no longer offering coverage in their area.
- People whose 2017 plan is being discontinued but their insurer is still offering other plans in the Marketplace.

Everyone whose plan is discontinued is eligible for the SEP regardless of whether or not they are auto-enrolled into a new plan for 2018, or they actively select a new plan for 2018.

Everyone enrolled in a 2017 plan should have received a notice from their insurer detailing whether or not their 2017 plan would be offered in 2018. People with 2017 Marketplace coverage fall into one of the following categories:

- **Their plan is no longer available and no other plans are available through that insurer.** These consumers will get a notice from their issuers indicating that their plan is not being offered the following year. No information about a new plan will be in this notice, but the Marketplace will generally auto-enroll these individuals in a new plan with a new insurer if they don't return to the Marketplace. The new plan will send information to the consumer about how to effectuate their coverage. *These consumers are eligible for an SEP.*
- **Their plan is no longer available and the insurer will auto-enroll the person in a new plan.** People will get a notice from their insurer indicating that their plan is not being offered the following year, and that they will be automatically enrolled in a new plan if they don't return to the Marketplace and select a different plan. *These consumers are eligible for an SEP.*
- **Their plan is available in 2018 and the insurer will auto-enroll the person into the same plan.** People will get a notice detailing any changes to their plan for 2018. People can choose to remain enrolled in this plan for 2018 or choose a new plan during open enrollment. *They are not eligible for an SEP — even if there are significant changes to the provider network, the cost sharing structure, or other features of their plan — because their coverage was not discontinued.*

### How do eligible consumers activate this SEP?

Consumers can activate this SEP online on HealthCare.gov or by calling the marketplace call center and indicating they have lost coverage just as they would if they lost other coverage from another source such as Medicaid or employer sponsored insurance. Two questions on the application ask if anyone in the household lost coverage in the past 60 days or if anyone is losing coverage in the next 60 days. Depending on whether it is before or after December 31, 2017, consumers should answer one of these questions affirmatively, and they should put December 31, 2017 as the date they are losing or have already

lost coverage. This will trigger an SEP and allow consumers to enroll in a new plan. Consumers have until March 1, 2018 (60 days after December 31, 2017) to activate this SEP and choose a new plan. The coverage effective date of the new plan will be the first day of the month following plan selection. Eligible consumers should use this SEP as soon as possible to avoid potential gaps in coverage or being auto-enrolled in a plan that does not meet their needs.

When the discontinued plan was a Marketplace plan offered through HealthCare.gov, consumers should not have to submit documentation verifying the loss of coverage. However, if a person is asked to submit documentation, she can use the notice received from her insurer to prove that her coverage was discontinued.