



# South Carolina Department of Insurance

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**HENRY McMASTER**  
Governor

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Director

## MEMORANDUM

**TO:** Issuers of Individual and Small Group Health Insurance Coverage, including Student Health Plans  
Issuers of Exchange-certified Stand-Alone Dental Coverage

**FROM:** Kendall Buchanan  
Deputy Director of Market and Consumer Services

**SUBJECT:** Filing Timeline for Plan/ Policy Years Beginning in 2018  
Filing Timeline for Student Health Plans

**DATE:** April 21, 2017

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### I. PURPOSE

The purpose of this memorandum is to set forth filing timelines for issuers wishing to offer non-grandfathered health insurance coverage or coverage of pediatric dental services under Exchange-certified Stand-Alone Dental Plans pursuant to the Patient Protection and Affordable Care Act's (ACA) 2014 Market Reforms with plan or policy years beginning in calendar year 2018. It is specific to any such coverage offered in the individual or small group market as defined under South Carolina law and as amended via Bulletin 2011-11<sup>1</sup>. Hereafter, these policies are referred to as 2018 Plans and 2018 SADPs, respectively. It also provides filing timelines for issuers wishing to offer student health insurance coverage meeting the federal definition as outlined in 45 CFR 147.145. Hereafter, such coverage is referred to as Student Health Plans or SHPs.

### II. FILING TIMELINES FOR 2018 PLANS AND 2018 SADPs

While the State of South Carolina has a Federally-facilitated Marketplace (FFM) and Federally-facilitated Small Business Health Options Program (FF-SHOP), this Department retains responsibility for the review and approval of forms and rates for 2018 Plans and 2018 SADPs sold on and off the FFM and FF-SHOP. The federal government, through the U.S. Department of Health and Human Services and, in the case of the Multi-State Plan Program, the Office of Personnel Management, is responsible for certifying Qualified Health Plans (QHPs) that will be sold through the FFM and FF-SHOP as well as Exchange-certified SADPs that will be sold on or off the FFM and FF-SHOP. These entities, however, defer to this Department for the review and approval of the forms and rates for such plans.

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<sup>1</sup> This guidance does not apply to non-grandfathered health insurance coverage that does not comply with the 2014 Market Reforms, commonly referred to as "grandmothered" plans, that may be renewed under the transitional policy outlined in Bulletin 2013-12, Addendum A to Bulletin 2013-12, Bulletin 2014-05 (Addendum B to Bulletin 2013-12), Bulletin 2016-01 (Addendum C to Bulletin 2013-12), and Bulletin 2017-02 (Addendum D to Bulletin 2013-12).

The federal timelines published by the Center for Consumer Information and Insurance Oversight (CCIIO) are summarized in the [Key Dates for Calendar Year 2017](#) (April 13, 2017) and provide an initial QHP application submission deadline of June 21, 2017. The final deadline for submission of QHP application data is August 16, 2017. This is the same deadline by which all risk pools with QHPs must be in “final” status in the federal Unified Rate Review (URR) System. For those issuers that are seeking to write 2018 Plans strictly outside of the FFM or FF-SHOP, the URR “final” status deadline is October 6, 2017. These federally-imposed deadlines are the basis for the filing timeline summarized below.

We are requesting that issuers submit filings for 2018 Plans and 2018 SADPs by the following dates:

*Health Insurance Issuers Seeking QHP Certification (excluding SADPs)*

QHP Application Deadline:	June 21, 2017
<b>Submit Rate/ Form Filing in SERFF by:</b>	<b>June 26, 2017</b>
<b>Submit Binder in SERFF Plan Management by:</b>	<b>June 26, 2017</b>
Submit Rate Filing Justification in URR Module by:	July 17, 2017
SERFF/ URR System Dispositions Deadline:	August 16, 2017
State QHP Certification Recommendations Due:	September 27, 2017

*Dental Issuers Seeking SADP Certification (including SADPs that will be offered strictly outside of the FFM and/or FF-SHOP)*

QHP Application Deadline:	June 21, 2017
<b>Submit Rate/ Form Filing in SERFF by:</b>	<b>July 3, 2017</b>
<b>Submit Binder in SERFF Plan Management by:</b>	<b>July 3, 2017</b>
SERFF Dispositions Deadline:	August 16, 2017
State QHP Certification Recommendations Due:	September 27, 2017

*Health Insurance Issuers Writing Solely Outside of the FFM and/or FF-SHOP*

<b>Submit Rate/ Form Filing in SERFF by:</b>	<b>July 17, 2017</b>
<b>Submit Binder in SERFF Plan Management by:</b>	<b>July 17, 2017</b>
Submit Rate Filing Justification in URR Module by:	July 17, 2017
SERFF/ URR System Dispositions Deadline:	October 6, 2017

Open Enrollment for 2018 Plans: November 1, 2017 – December 15, 2017

### **III. FILING REQUIREMENTS FOR 2018 PLANS & 2018 SADPs**

As previously indicated, the Department started with the federally-imposed deadlines to determine the length of time that may be necessary to complete the rates and forms filing review process. Our goal is to provide issuers with the maximum amount of time possible in order to develop their filings in an effort to get better quality, more complete submissions at the beginning of the process. This is in keeping with our commitment to improving the review process each year.

With that in mind, we ask that issuers be mindful of the following relative to the upcoming filing period:

- Filings cannot be reviewed until the associated binder is also submitted.
- The Department will only accept **one filing per 2018 Plan/SADP issuer per market segment**; this must include all rates and forms for the issuer (even if offering multiple product types) associated with that market segment. This also applies to issuers that are seeking QHP certification, even if the issuer is planning to offer some products or plans strictly outside of the FFM/ FF-SHOP (i.e., products/ plans for which the company is not seeking QHP certification).
- The Department will provide two weeks for issuers to respond to objections until approximately 30 days prior to the federally-imposed disposition deadlines. At that time, the Department may limit response

timeframes to one week. Extensions will not be granted to any objection response deadline unless there is an extraordinary circumstance that warrants an extension. Analysts will not be able to grant an extension without an internal review of the request. The purpose of this is two-fold: (1) untimely responses impact the timeline and workflow for the review process overall, thus impacting the analysts' ability to be efficient and responsive to other issuers' filings; and (2) we are providing issuers with as much time as we can up-front in order to reduce the need for significant numbers of objections and, in turn, ask that issuers allocate the necessary resources to responding in a timely manner throughout the review process.

- In advance of the filing process, issuers should review all objections and requests from the 2016 filing period and are encouraged to also review the objections and requests from prior years. The Department has found that issues that were raised in prior filings are very likely to be raised in future filings and, as such, it would greatly streamline the process for issuers if they address these at the time of submission. In addition to requesting this review of issuers, the Department has conducted a review of the objections that our analysts asked commonly across issuers and plans to prepare filing guidance so that issuers may benefit from this review in advance of their submissions.
- The Department will publish additional guidance, including a chart of filing/ binder submission requirements, on its LA&H webpage under the PPACA Resources heading, which may be accessed at [doi.sc.gov/lah](http://doi.sc.gov/lah).

#### IV. FILING TIMELINES FOR STUDENT HEALTH PLANS

SHP issuers are reminded that they should submit their filings as expeditiously as possible in order to provide this agency with sufficient time to review and approve the forms and rates associated with student health insurance coverage. **Such filings should be submitted no later than 90 days in advance of the proposed effective date of coverage.** The Department has additional guidance specific to SHP issuers, including a chart of filing requirements, which is available on the LA&H webpage under the PPACA Resources heading.

#### V. QUESTIONS

Issuers should regularly check the LA&H webpage ([doi.sc.gov/lah](http://doi.sc.gov/lah)) over the coming months for additional materials relative to the filing and review process. Please note that all materials will be listed under the PPACA Resources heading

Questions regarding this notice, the filing process, or any related filing materials should be submitted via email to [lahmail@doi.sc.gov](mailto:lahmail@doi.sc.gov) and include the company name and primary point of contact (with phone number and email address) for follow up.