

**Consumer and Small Employer Advisory Committee (CSEAC)
Recommendation to MNSure Board of Directors
to Lengthen Open Enrollment Period for 2019 coverage**

June 5, 2018

Contacts:

Denise Robertson, CSEAC Chair, denise@healthaccess.mn

Mary Ellen C. Becker, CSEAC Committee Member, mebbecker@gmail.com

Executive Summary:

The Consumer and Small Employer Advisory Committee believes that a six-week OE is too short to provide adequate opportunity for all Minnesotans to enroll in health coverage. MNSure's Open Enrollment (OE) period for coverage in 2019 is currently scheduled for Nov 1 - Dec 15, 2018, a total of 45 days (about six weeks). This mirrors the OE period for the federal exchange, which was shortened last year from roughly 90 days to 45 days. The 2018 MNSure OE period ran from Nov 1 - Dec 20, 2017 and was then extended from Dec 21, 2017 - Jan 14, 2018 via a special enrollment period, for a total of 75 days (about 10 weeks). (The deadline to obtain a plan with a Jan 1, 2018 effective date was Dec 20, 2017; enrollments completed between Dec 21, 2017 and Jan 14, 2018 had coverage effective Feb 1, 2018.)

Since Minnesota operates a state-based marketplace, the MNSure CEO can set an OE period that differs from the federal one, if exceptional circumstances justify that change. We urge the MNSure Board of Directors to advocate for an increase in the upcoming OE period to allow all Minnesota consumers more time to enroll in health coverage for 2019. A significant number of consumers might lose their ability to purchase private coverage for an entire year if they miss the opportunity to purchase health coverage due to a shorter OE period.

Recommendation:

CSEAC members prefer that the MNSure open enrollment period (including any special enrollment period announced by the MNSure CEO) be extended to at least 62 days, from Oct 15 - Dec 15; however, for the upcoming year, we recommend a 75-day OE from Nov 1, 2018 - Jan 14, 2019. This would be achieved by extending the scheduled OE for January 2019 coverage from Nov 1 to Dec 21, 2018 (instead of Dec 15), with a special enrollment period open to all Minnesotans from Dec 22, 2018 - Jan 14, 2019; policies purchased between Dec 22 and Jan 14 would be effective on Feb 1, 2019.

Recommendation Rationale:

1. The CSEAC members believe there are several reasons why MNSure should extend their open enrollment period to start in October rather than November. Although we understand that it might be a challenge to implement a change to an earlier start date, the Committee believes that this is the better choice for future years. We urge the MNSure Board and the

MNsure CEO to consider putting plans in motion now for an earlier OE, to achieve that goal by next year, if possible. Advantages of this change include:

- providing consumers with more time to evaluate their options. The fourth quarter of a calendar year is often a very busy time. Many consumers celebrate a number of national/religious holidays during this time and enjoy school/work breaks; we believe it would be beneficial to give them additional time to enroll in health coverage before bustle of the holiday season ensues.
- for those wishing to meet with assisters, dodging snowstorms and frigid weather that are more common in December and January than in October.
- aligning MNsure enrollment with Medicare and other private market open enrollment periods.
- allowing MNsure brokers, navigators and other assisters additional time to work with consumers, helping them to evaluate their options and ultimately choose a plan that will work for the consumer. Most MNsure brokers are also certified to sell Medicare Advantage plans. A shorter OE results in demand that often exceeds the capacity of brokers, navigators and other assisters.
- attracting a relatively younger and healthier insurance pool. This population group often procrastinates and waits out the OE period. A longer OE increases the likelihood that these “healthy procrastinators” are given ample time to evaluate their options and enroll. The same holds true for many re-enrollees who switch plans. Some data shows that both of these groups tend to delay their enrollment until the last half of OE. They could be shut out from enrolling or changing plans if the OE period is reduced to only six weeks.
- increasing the likelihood that consumers will have their ID cards before the start of the new coverage year.
- avoiding the conflict with MinnesotaCare renewals which are all processed in December, thus alleviating some of the burden on DHS to process both renewals and new applications during the same time. This would better serve both consumers and assisters, who often face long wait times when trying to call MinnesotaCare. In addition, many consumers experience delays in MinnesotaCare’s processing of renewal forms or MNsure’s processing of life event changes, so that some consumers moving between programs face a gap in coverage while waiting for their case to be processed. This leads to hardship for many consumers, who either end up paying for an insurance policy that they wouldn’t have to purchase if their casework had been completed, or who forego health care while waiting for a new eligibility determination for coverage.

2. Alternatively, if MNsure deems that it is not feasible to move the Open Enrollment start date to October, the CSEAC recommends that a special enrollment period for January coverage be established that effectively extends the OE period to January 14. Under this option, the deadline for purchasing a health plan with an effective date of Jan 1 would be Dec 21; policies

purchased between Dec 22 and Jan 14 would be effective on Feb 1.

- This option has many of the advantages discussed above, and also has the advantage of retaining the post-holiday season enrollment option that many Minnesotans are now used to.
- There is little evidence that extending the OE period into January would result in any significant amount of adverse selection by people who did not buy a plan by Dec 21 but then later bought a plan because they became ill between then and Jan 14.
- Of particular significance this year is the fact that more than 400,000 Minnesotans must choose new Medicare supplement plans for 2019 coverage. Medicare is doing away with a type of policy called Cost plans.* All consumers on a Cost plan will need to switch coverage; this will affect 403,465 Minnesotans. Medicare's open enrollment dates are Oct 15 - Dec 7, 2018. This disruption in the marketplace means that Medicare recipients will need extra attention from brokers to help them understand their options and enroll in a new plan; consumers will no doubt turn to navigators for assistance provided by brokers in the past, but most navigators are already working at full capacity during OE. If MNSure does not grant a special enrollment period for 2019 coverage, many consumers seeking to apply through MNSure will not be able to get the assistance they need, because of the overlap between the Medicare and MNSure open enrollment periods.

**The Centers for Medicare and Medicaid Services (CMS) won't allow Medicare Cost Plans (starting January 1, 2019) in counties where:*

- *There were at least two competing Medicare Advantage plans available the previous year.*
- *These Medicare Advantage plans had at least a minimum specified number of members during the entire previous year.*
- Also during this time period, Medicare is updating and mailing new Medicare ID cards to all Medicare recipients. The new card will not include the member's Social Security Number; instead, it will list a new, unique Medicare number. These cards are being mailed between April 2018 and April 2019. The combination of this new Medicare card and the discontinuation of Medicare Cost plans is expected to lead to confusion among some Medicare recipients, which will require even more attention from brokers, exacerbating the strain on broker capacity to handle MNSure enrollments which is already anticipated.

3. A third option for lengthening the OE period is to grant a special enrollment period that extends the opportunity to purchase private coverage from Nov 1 - Dec 21 or 31, 2018. The CSEAC does not recommend this option.

- Although this does add 7 - 17 days to the currently proposed OE, this timeline doesn't solve one of the biggest challenges posed by a shorter OE, since this special

enrollment period would overlap with the entire month of MinnesotaCare renewals. Thus, assister capacity remains a concern.

- In addition, with the winter holidays and breaks that take place during the last two weeks of December, this option doesn't really offer much additional opportunity to purchase an insurance policy for January coverage, practically speaking.

The CSEAC believes there is ample support to justify lengthening the upcoming MNSure open enrollment period so that as many Minnesotans as possible will have the opportunity to get the assistance they desire, thoughtfully weigh their options, and then apply for and successfully enroll in the health insurance plan that best fits their needs. In the long run, we believe that an OE period which starts in October would be most beneficial for Minnesota consumers, especially if all MinnesotaCare renewals remain due in December. However, for the upcoming open enrollment season, we recommend that the MNSure CEO, with the advice of the MNSure BOD, declare a special enrollment period that runs through Jan 14, 2019. This additional time is particularly important for the 2019 OE period, when brokers will be working at full capacity to meet the demand of about 400,000 clients who must change their Medicare plans for 2019 coverage. There simply will not be enough assisters available to meet the needs of consumers seeking MNSure help if OE ends on Dec 15, and the consequences to consumers who miss the OE deadline are too high. By granting more time for consumers to enroll in coverage for 2019, MNSure can help ensure that our state-based exchange remains a national model for providing health coverage to Minnesota residents. Thank you for your consideration of this recommendation.

Resources:

- <http://www.mnaging.org/News/CostPlans.aspx>
- <https://medicare.com/about-medicare/medicare-cost-plans-being-phased-out-in-minnesota>
- <https://www.excelsiorinsurance.com/medicare-cost-plans-ending/>
- https://www.mnsure.org/assets/2017-05-30-Looking-Ahead-2018-Health-Affairs_tcm34-297385.pdf
- <https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedicareCard-FactSheet-TextOnly-909365.pdf>