



November 5, 2019

Frequently Asked Questions (FAQs) Regarding the *Quality Rating Information Bulletin's* (Quality Bulletin's) Display Guidelines for Direct Enrollment (DE) Entities Serving Consumers in States with Federally-facilitated Exchanges (FfEs) and State-based Exchanges on the Federal Platform (SBE-FPs)

These FAQs clarify the guidelines for DE entities to display the 2019 QHP quality rating information for the 2020 individual market open enrollment period (OEP) as established in the Quality Bulletin available at the following link:

<https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/QualityRatingInformationBulletinforPlanYear2020.pdf>.

For any questions regarding these FAQs, please contact DE Support at directenrollment@cms.hhs.gov.

1. Does the Quality Bulletin change the limited Qualified Health Plan (QHP) details that web-brokers must display when utilizing the Plan Detail Disclaimer¹ in lieu of displaying the standardized comparative information listed in 45 C.F.R. 155.205(b)(1)?

No, when web-brokers display the Plan Detail Disclaimer in lieu of displaying the standardized comparative information listed in 45 C.F.R. 155.205(b)(1), as permitted by 45 C.F.R. 155.220(c)(3)(i)(A), they must display at least the issuer name, plan name, plan type, and metal level as clarified in guidance,² along with the Plan Detail Disclaimer.

2. Does the Quality Bulletin require a web-broker to display the Plan Detail Disclaimer next to QHPs when a web-broker displays all of the required standardized comparative information listed in 45 C.F.R. 155.205(b)(1) other than QHP quality rating information and intends to display the QHP quality rating information in the future?

No, when web-brokers display all of the required standardized comparative information listed in 45 C.F.R. 155.205(b)(1) other than 2019 QHP quality rating information for a particular QHP, they are not required to display the Plan Detail Disclaimer next to that QHP while they work to modify their plan displays to add the QHP quality rating information consistent with the Quality Bulletin.

¹ See, e.g., slide 39 of *Processes and Guidelines for Becoming a Web-broker in the Federally-facilitated Exchanges* available at: <https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/Downloads/Processes-Becoming-Web-broker.pdf>.

² *Id.* at slide 30.

3. When may CMS begin enforcing the requirement that DE entities display QHP quality rating information consistent with the Quality Bulletin and these FAQs?

The Quality Bulletin indicates DE entities should prepare to display the 2019 QHP quality rating information beginning with the individual market OEP for the 2020 plan year.³ It also encourages DE entities to report to their CMS points of contact the status of their implementations. Given that the Quality Bulletin was released in such close proximity to the start of the OEP for the 2020 plan year, CMS is providing a compliance safe harbor with respect to display of 2019 QHP quality rating information by DE entities and will not use formal enforcement remedies as long as DE entities have communicated their intent to implement the required changes within a reasonable amount of time to their CMS points of contact. CMS will provide a minimum of 90 days advance notice to DE entities of the display guidelines for QHP quality rating information for future benefit years in future guidance.

³ The individual market OEP for the 2020 plan year starts on November 1, 2019. See 45 C.F.R. 155.410(e)(3).