

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Consumer Information and Insurance Oversight
200 Independence Avenue SW
Washington, DC 20201



June 5, 2019

VIA ELECTRONIC MAIL: jongodfread@nd.gov

Jon Godfread
Commissioner
North Dakota Insurance Department
600 E Boulevard Avenue
Bismarck, ND 58505

Dear Commissioner Godfread:

Thank you for your submission on May 10, 2019 of North Dakota's application for a State Innovation Waiver under section 1332 of the Patient Protection and Affordable Care Act (PPACA). North Dakota seeks to waive certain PPACA requirements and implement a reinsurance program called the Reinsurance Association of North Dakota (RAND) from plan year 2020 through plan year 2024. The Department of Health and Human Services and the Department of the Treasury (collectively, the Departments) have completed a preliminary review of the application in accordance with 45 CFR 155.1308(c) and 31 CFR 33.108(c), and we have made a preliminary determination that North Dakota's application is complete.

Pursuant to 45 CFR 155.1308(d) and 31 CFR 33.108(d), the date of this letter marks the beginning of the Federal public notice process and 180-day Federal decision-making period. Public comments on North Dakota's application will be accepted by the Departments from June 5, 2019 through July 5, 2019, and more information about the Federal public notice process and section 1332 waivers generally can be found on the CCIIO website.¹ The decision of the Departments regarding approval or denial of North Dakota's application will be issued within 180 days of this preliminary determination of completeness in accordance with 45 CFR 155.1316(c), 31 CFR 33.116(c) and other applicable regulations.

We look forward to working with you on your application and will be in touch if we need additional information. Please do not hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Pate", is written over a light blue horizontal line.

Randy Pate
Director, Center for Consumer Information & Insurance Oversight
Deputy Administrator, Centers for Medicare & Medicaid Services

¹ https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_state_Innovation_Waivers-.html

Cc: David Kautter, Assistant Secretary for Tax Policy, U.S. Department of the Treasury
Doug Burgum, Governor, State of North Dakota
Jeff R. Ubben, Deputy Insurance Commissioner and General Counselor, North Dakota
Insurance Department
Matt A. Fischer, Company Licensing and Examinations Division Director and Chief
Examiner, North Dakota Insurance Department
Chrystal A. Bartuska, Product Filing Division Director, North Dakota Insurance Department