

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



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January 17, 2017

**VIA ELECTRONIC MAIL:** Peter.Lee@covered.ca.gov  
Mr. Peter V. Lee  
Executive Director, Covered California  
1601 Exposition Boulevard  
Sacramento, California 95815

Dear Mr. Lee,

A handwritten signature in black ink that reads "Peter".

Thank you for your submission on December 19, 2016 of California's application for a State Innovation Waiver under Section 1332 of the Affordable Care Act (ACA). California seeks to waive section 1311(d)(2)(B)(i) of the ACA in order to offer unsubsidized health insurance plans that mirror the coverage available under qualified health plans offered through the Covered California Marketplace to undocumented individuals who would otherwise not be eligible for Marketplace coverage. The Department of Health & Human Services (HHS) and the Department of the Treasury (the Departments) have completed a preliminary review of the application in accordance with 45 CFR 155.1308(c), and we have made a preliminary determination that your application is complete.

Pursuant to 45 CFR 155.1308(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 the application will be accepted by the Departments from January 17, 2017 until February 16, 2017, and more information can be found on the CCIIO website.<sup>1</sup> The decision of the Secretaries of HHS and the Treasury will be issued within 180 days in accordance with 45 CFR 155.1308(c). 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 that reads "Kevin J. Counihan".

Kevin J. Counihan  
Chief Executive Officer, Health Insurance Marketplaces  
Director, Center for Consumer Information & Insurance Oversight

Cc: Mark J. Mazur, Assistant Secretary for Tax Policy, U.S. Department of the Treasury

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<sup>1</sup> [https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section\\_1332\\_state\\_Innovation\\_Waivers-.html](https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_state_Innovation_Waivers-.html)