

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



November 3, 2021

**VIA ELECTRONIC MAIL:** [marlene.caride@dobi.nj.gov](mailto:marlene.caride@dobi.nj.gov)

Marlene Caride  
Commissioner  
New Jersey Department of Banking and Insurance  
20 West State Street  
Trenton, NJ 08625

Dear Commissioner Caride:

This letter is to notify you that, in part due to the American Rescue Plan Act of 2021 (ARP), New Jersey will receive a total of \$282,051,806 in pass-through funding to implement its State Innovation Waiver under the Affordable Care Act (ACA) for calendar year 2021.

As you are aware, on August 16, 2018, the Department of Health & Human Services and the Department of the Treasury (the Departments) approved New Jersey's State Innovation Waiver under Section 1332 of the ACA. New Jersey's approved application waives the ACA's requirement for the single risk pool to the extent necessary to implement a state reinsurance program called the New Jersey Health Insurance Premium Security Plan for plan years 2019 through 2023. On April 21, 2021, the Departments notified New Jersey that they had determined that New Jersey's pass-through funding amount for calendar year 2021 was \$223,177,125. This amount reflected changes in New Jersey state law or regulation for 2021 that impact the waiver, such as the introduction of a state subsidy program that would supplement Federal premium tax credits (PTCs). This determination also reflected federal law and state policy as of March 10, 2021, prior to the passage of the ARP. Among other changes, the ARP temporarily expanded the ACA's PTC, increasing the generosity of the PTC for those who were already eligible under the ACA and making PTCs available to individuals with incomes above 400 percent of the federal poverty level (FPL) for the first time. At the same time, New Jersey enhanced the generosity of its state subsidy program and extended eligibility to those with incomes up to 600 percent of FPL.

The Departments have now completed their analysis of the effects of the ARP on pass-through funding. The Department of the Treasury's final administrative determination for New Jersey's total pass-through funding for calendar year 2021, after accounting for the ARP and the enhancement of the state subsidy program, is \$282,051,806. As a result, New Jersey will receive \$58,874,681 more in pass-through funding than the amount specified in the Departments' April letter.

We look forward to continuing to work with you and your staff. If you have any questions regarding program matters or official correspondence concerning the waiver, please contact Lina Rashid at [Lina.Rashid@cms.hhs.gov](mailto:Lina.Rashid@cms.hhs.gov) or [stateinnovationwaivers@cms.hhs.gov](mailto:stateinnovationwaivers@cms.hhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Ellen Montz". The signature is written in a cursive style with a large, sweeping flourish at the end.

Ellen Montz, PhD  
Director  
Center for Consumer Information and Insurance Oversight (CCIIO)

Cc:

Lily Batchelder, Assistant Secretary for Tax Policy, U.S. Department of the Treasury  
The Honorable Philip Murphy, Governor, State of New Jersey  
Justin Zimmerman, Chief of Staff, New Jersey Department of Banking and Insurance  
Philip Gennace, Assistant Commissioner, Life and Health, New Jersey Department of Banking and Insurance

DEPARTMENT OF HEALTH & HUMAN SERVICES  
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Washington, DC 20201



April 21, 2021

**VIA ELECTRONIC MAIL:** [marlene.caride@dobi.nj.gov](mailto:marlene.caride@dobi.nj.gov)

Marlene Caride  
Commissioner  
New Jersey Department of Banking and Insurance  
20 West State Street  
Trenton, NJ 08625

Dear Commissioner Caride:

On August 16, 2018, the Department of Health & Human Services and the Department of the Treasury approved New Jersey's State Innovation Waiver under Section 1332 of the Affordable Care Act (ACA). New Jersey's approved application waives the ACA's requirement for the single risk pool to implement a state reinsurance program called the New Jersey Health Insurance Premium Security Plan for plan years 2019 through 2023. It is the Department of the Treasury's final administrative determination that New Jersey's pass-through funding amount for calendar year 2021 is \$223,177,125. This amount reflects changes in New Jersey state law or regulation for 2021 that impact the waiver, such as the introduction of a state subsidy program that would supplement Federal premium tax credits. This determination also reflects federal law as of March 10, 2021. For information on how the American Rescue Plan Act of 2021 may impact pass-through funding, please see here.<sup>1</sup>

If you have any questions regarding program matters or official correspondence concerning the waiver, please contact Lina Rashid at [Lina.Rashid@cms.hhs.gov](mailto:Lina.Rashid@cms.hhs.gov) or [stateinnovationwaivers@cms.hhs.gov](mailto:stateinnovationwaivers@cms.hhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Grant", is written over a horizontal line.

Jeffrey Grant  
Acting Director, Center for Consumer Information and Insurance Oversight (CCIIO)  
Centers for Medicare & Medicaid Services (CMS)

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<sup>1</sup> [https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section\\_1332\\_State\\_Innovation\\_Waivers-#pass-through](https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_State_Innovation_Waivers-#pass-through)

Cc:

Mark Mazur, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury

The Honorable Philip Murphy, Governor, State of New Jersey

Justin Zimmerman, Chief of Staff, New Jersey Department of Banking and Insurance

Philip Gennace, Assistant Commissioner, Life and Health, New Jersey Department of Banking and Insurance

DEPARTMENT OF HEALTH & HUMAN SERVICES  
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Washington, DC 20201



February 25, 2021

**VIA ELECTRONIC MAIL:** [marlene.caride@dobi.nj.gov](mailto:marlene.caride@dobi.nj.gov)

Marlene Caride  
Commissioner  
New Jersey Department of Banking and Insurance  
20 West State Street  
Trenton, NJ 08625

Dear Commissioner Caride:

On August 16, 2018, the Department of Health & Human Services and the Department of the Treasury approved New Jersey's State Innovation Waiver under Section 1332 of the Patient Protection and Affordable Care Act (PPACA). New Jersey's application sought to waive PPACA's requirement for the single risk pool to implement a state reinsurance program called the New Jersey Health Insurance Premium Security Plan for plan years 2019 through 2023. The pass-through funding associated with this waiver for calendar year 2021 is estimated to be \$223,177,125. This amount reflects changes in New Jersey state law or regulation for 2021 that impact the waiver, such as the introduction of a state subsidy program that would supplement Federal premium tax credits. This amount will be subject to a final administrative determination by the Department of the Treasury prior to payment.

If you have any questions regarding program matters or official correspondence concerning the waiver, please contact Lina Rashid at [Lina.Rashid@cms.hhs.gov](mailto:Lina.Rashid@cms.hhs.gov), or [stateinnovationwaivers@cms.hhs.gov](mailto:stateinnovationwaivers@cms.hhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Grant", is written over a horizontal line.

Jeffrey Grant  
Acting Director, Center for Consumer Information and Insurance Oversight

Cc:

Mark Mazur, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury  
The Honorable Philip Murphy, Governor, State of New Jersey  
Justin Zimmerman, Chief of Staff, New Jersey Department of Banking and Insurance  
Philip Gennace, Assistant Commissioner, Life and Health, New Jersey Department of Banking and Insurance