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**Benefit Year (BY) 2023 Deadline Updates: EDGE Data Submission Extended to 4 p.m. ET, Tuesday, May 21, 2024 and Medical Loss Ratio (MLR) Filing Deadline Extended to Thursday, August 15, 2024**

*Posting Date: 03/22/2024*

**EDGE Server Data Submission**

On March 1, 2024, the Centers for Medicare & Medicaid Services (CMS) issued a statement which indicated that CMS continues to work closely with Optum and Change Healthcare (CHC) to evaluate the impact of the CHC cybersecurity incident on issuers of risk adjustment covered plans.<sup>1</sup> CMS also continues to solicit feedback from health insurance issuers and other impacted entities to assess the full scope of the cyberattack and any potential impact on Benefit Year (BY) 2023 risk adjustment activities. Complete and accurate EDGE server data submissions are important to ensure the integrity of transfers calculated under the HHS-operated RA program<sup>2,3</sup> applicable to the individual, small group, and merged markets.

CMS recognizes that some issuers are facing challenges related to EDGE server operations, including completion of medical record reviews for Supplemental Diagnosis file submission, disruption in clearinghouse services required for processing BY 2023 run-out claims, and other issues related to the CHC cybersecurity incident that could impact submission of complete and accurate EDGE server data. To provide issuers flexibility in managing these challenges, CMS is exercising enforcement discretion to extend the data submission deadline under 45 C.F.R. § 153.730.

**Therefore, CMS is extending the BY 2023 EDGE server data submission deadline from 4:00 p.m. ET on Tuesday, April 30, 2024, to 4:00 p.m. ET on Tuesday, May 21, 2024.** This will result in an extension of the notice to issuers of BY 2023 risk adjustment transfers under 45 C.F.R. § 153.310(e) and the accompanying release of the BY 2023 Summary Report on Risk Adjustment and Issuer Transfer Reports. Please see below for additional details regarding the updated BY 2023 data submission and reporting timeline.

The extended BY 2023 deadlines are as follows:

- Issuer BY 2023 EDGE server data submission deadline
  - OLD: 4:00 p.m. ET, Tuesday, April 30, 2024
  - NEW: 4:00 p.m. ET, Tuesday, May 21, 2024
- CMS publication of BY 2023 Summary Report on Risk Adjustment and Issuer Transfer Reports
  - OLD: Friday, June 28, 2024
  - NEW: Monday, July 22, 2024

For questions regarding EDGE and RA, please contact [RARIPaymentOperations@cms.hhs.gov](mailto:RARIPaymentOperations@cms.hhs.gov).

For technical questions regarding EDGE data submission, please contact [EDGE\\_Server\\_Data@cms.hhs.gov](mailto:EDGE_Server_Data@cms.hhs.gov).

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<sup>1</sup> The statement was released through REGTAP at [https://regtap.cms.gov/reg\\_library\\_openfile.php?id=5236&type=l](https://regtap.cms.gov/reg_library_openfile.php?id=5236&type=l).

<sup>2</sup> See section 1343 of the ACA. Also see section 1321(c)(1) (directing the HHS Secretary to operate the RA program on behalf of states that fail to do so).

<sup>3</sup> For BY 2023, HHS is responsible for operating the HHS-operated RA program in all 50 states and the District of Columbia.

### **Medical Loss Ratio**

CMS has also been working with interested parties to evaluate the impact of the CHC cybersecurity incident on issuer obligations with respect to reporting under the Medical Loss Ratio (MLR) program. CMS recognizes that some issuers may find it challenging to incorporate the risk adjustment transfer amounts into the MLR reporting and calculations on a significantly shortened timeframe. To provide issuers flexibility in managing these challenges, CMS is exercising enforcement discretion to extend the form filing deadline under 45 C.F.R. § 158.110(b).

**Therefore, CMS will consider BY 2023 MLR Reporting Forms to be filed on time as long as they are filed with HHS by August 15, 2024.** Issuers must provide any rebates to enrollees no later than September 30, 2024, as required in 45 C.F.R. § 158.240(e).

For questions regarding MLR, please contact [MLRquestions@cms.hhs.gov](mailto:MLRquestions@cms.hhs.gov).