

# legislative update

## Initial Open Enrollment Period Extension

March 31, 2014 marks the end of open enrollment for Marketplace plans under the Affordable Care Act (ACA). However, on March 26, 2014, CMS provided an extension for certain individuals. They have put those individuals into two categories: those who are “in line” and those with “complex cases.” The extension will provide people with prospective coverage.

### Individuals “In Line” for the end of the Initial Open Enrollment

In anticipation of high traffic volume on Healthcare.gov and the Marketplace call center, CMS is providing individuals who tried to enroll during the open enrollment period a limited amount of time to complete the process after March 31. Though the exact amount of time is not specified, it is assumed that coverage for these individuals will be May 1, which is the normal effective date for enrollments that occur between March 16 and April 15. As long as “in line” individuals complete the process and pay their first month’s premium by the deadline set by the insurer, May 1 will be the effective date.

For individuals who submitted paper applications, CMS has stated that they will process that information by April 7 to determine who is “in line” and whose applications were pending submission or review of supporting documentation on March 31. These individuals will have until April 30 to select a plan effective May 1.

Individuals who are considered “in line” by March 31 will be able to claim a hardship exemption for the months prior to the effective date of their coverage, as they will be treated as having enrolled in coverage by March 31.

### Complex Cases

CMS has also defined particular “complex cases” that will allow individuals to qualify for a special enrollment period in the Marketplace.

Those limited circumstances that allow for special enrollment are:

- Exceptional circumstances
- Misinformation, misrepresentation, or inaction
- Enrollment error
- System errors related to immigration status

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- Display errors on Marketplace website
- Medicaid/ CHIP- Marketplace transfer
- Error message
- Unresolved casework
- Victims of domestic abuse
- Other system errors

They have also provided [descriptions and examples](#) of each of these circumstances.

## Conclusion

CMS reiterates that the Marketplace will continue to accept and process changes for individuals who experience a qualifying life event. It is also important that individuals understand that they are expected to have attempted to enroll in coverage in a timely fashion in order to qualify for this latest extension.