

Fact Sheet: Request for Information Regarding State Relief and Empowerment Waivers

Today, the Department of the Treasury and the Centers for Medicare & Medicaid Services in the Department of Health and Human Services (collectively, the Departments) issued a request for information (RFI) to solicit public comment on ideas for innovative programs and waiver concepts that states could consider in developing a section 1332 waiver plan. The Departments are seeking feedback and ideas on how states might take advantage of new flexibilities provided in recently released October 2018 guidance.¹ Also, in November 2018, the Centers for Medicare & Medicaid Services (CMS) released four waiver concepts² for states' use to promote more affordable, flexible health insurance coverage options through State Relief and Empowerment Waivers.

The overarching goal of section 1332 waivers is to give all Americans the opportunity to gain high value and affordable health coverage regardless of income, geography, age, gender, or health status while empowering states to develop health coverage strategies that best meet the needs of their residents. The Departments are committed to empowering states to innovate in ways that will strengthen their health insurance markets, expand choices of coverage, target public resources to those most in need, and meet the unique circumstances of each state. The RFI released today is another step, in addition to the 1332 guidance and 1332 waiver concepts released in the fall of 2018 to provide states with flexibility and ways to innovate.

In this RFI, the Departments solicit public comments on ideas for other innovative waiver concepts that:

- States may be able to use to develop innovative waiver programs that meet the section 1332 guardrails.
- States could potentially use alone or in combination with other waiver concepts, state proposals, or policy changes.
- Advance some or all of the principles in the 1332 Guidance.
- Incorporate the entire range of waivable requirements allowed under section 1332.
- Describe how states might combine these flexibilities under 1332 with other flexibilities under federal law, including regulatory flexibility, Section 1115 Medicaid waivers, as well as state law.

Comments must be received no later than 60 days after date of publication in the Federal Register.

The Departments continue to encourage states to propose other innovative approaches to meet the unique needs of their population, and recommend that states interested in applying for a State Relief and Empowerment Waiver reach out to the Departments promptly for assistance in formulating an approach that meets the requirements of section 1332.

States may submit State Relief and Empowerment Waiver applications and/or questions to stateinnovationwaivers@cms.hhs.gov.

The RFI is available at <https://www.federalregister.gov/public-inspection/> starting May 3, 2019.

For more information, please visit: https://www.cms.gov/CCIIO/Programs-and-Initiatives/StateInnovation-Waivers/Section_1332_state_Innovation_Waivers-.html.

¹ 83 FR 53575

² <https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Downloads/Waiver-Concepts-Guidance.PDF>

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