Processing Prior Year Disputes (4/22/2019)

Consumer Information & Insurance Oversight (CCIIO)

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AM Approval for Prior Year Disputes Overview

Prior year disputes have a significant impact to consumers, caused by corrections after taxes have been filed. Starting on May 1, 2019, issuers need to get approval from their Account Manager (AM) before submitting prior year disputes to ER&R.

- ER&R will process all prior year disputes submitted before noon ET on April 30th.
- This will not be required for HICS Direct Disputes or prior year disputes that contain supporting HICS cases.
- This change impacts both Payment and Enrollment Disputes.

Process Overview:

1. The issuer requests approval by emailing a completed Issuer Prior Year Approval Request Form to the AM.
2. The AM contacts ER&R with information about the approved disputes.
3. ER&R sends a confirmation email to the AM and the issuer with a due date for the dispute submission.
4. The issuer follows their existing procedures to submit the approved prior year disputes.
5. ER&R processes each dispute normally after validating that the dispute was approved.

Issuer Prior Year Approval Request Form: Introduction

To request approval, the issuer will email the completed Issuer Prior Year Approval Request Form to the AM to provide the following information:

- Point of contact (POC) for ER&R to work with when resolving the disputes
- When the issuer will be ready to submit the disputes to ER&R
- HIOS IDs impacted
- Volume of policies involved
- Reason for the delay and, as appropriate, what actions the issuer is taking to prevent delayed disputes in the future
- If there is 1095-A impact and if the consumer(s) was notified that a new Form 1095-A will be sent

The Issuer Prior Year Approval Request Form is available on CMS zONE at https://zone.cms.gov/system/files/documents/issuerprioryearapprovalrequest.xlsx

The following slides provide more detail on each item.

Issuer Prior Year Approval Request Form: Point of Contact Information

Issuers will provide the POC information.

1. Issuer point of contact (POC) for ER&R to work with when resolving prior year disputes:	POC name: ______________
	POC e-mail: ______________
	POC phone number: __________

- When filling out the POC email, only one address may be listed; however, issuers are free to set up internal distribution lists.
- When filling out the POC phone number, be sure to include an extension when appropriate.

Issuer Prior Year Approval Request Form: Date and HIOS IDs

Issuers will provide the date they expect to submit the disputes and the impacted HIOS IDs.

2. Date the issuer will be ready to submit disputes to ER&R: ____________________

3. HIOS IDs impacted:

_________	_________	_________	_________	_________
_________	_________	_________	_________	_________
_________	_________	_________	_________	_________
_________	_________	_________	_________	_________
_________	_________	_________	_________	_________

- Issuers will need to submit the disputes to ER&R by the date the AM provides to ER&R. CMS will give issuers sufficient time to submit the disputes but encourages the issuers to submit them in a timely manner.
- Any HIOS that will be submitting disputes should be included on one (1) form.

Issuer Prior Year Approval Request Form: Volume of Policies Impacted

Issuers will provide a count of impacted prior year policies.

4. Volume of policies that require updates to the FFM: ______________

Please note that disputes that are the result of HICS cases do not require AM approval.

Please make sure the HICS Case ID is provided on the dispute form to ensure proper processing.

- The volume of policies should not include any prior year disputes that are supported by HICS cases.

Issuer Prior Year Approval Request Form: Reason and Action Taken

Issuers will provide an explanation of why these disputes were delayed and a synopsis of preventative steps they will take to avoid similar situations going forward.

5. Reason for the delay in submission of disputes:

6. Actions the issuer is taking to prevent prior year disputes:

- The reason for the delay should include significant detail to give the AM an understanding of the specific issue.
- Issuers should make sure to note whether the preventative actions have already been completed or involve an ongoing process.

Issuer Prior Year Approval Request Form: 1095-A Consumer Outreach

Issuers will notate if the corrections will result in corrected 1095-A forms and if outreach was performed to inform the impacted consumers.

7. Will prior year dispute updates result in 1095-A corrections? __________
If so, were the consumers notified that they will receive corrected 1095-A forms? ____________

- Issuers should indicate whether or not a corrected 1095-A form will be sent to the consumer with a “Yes” or “No” response.
- CMS strongly encourages issuers to notify consumers if they are receiving a corrected 1095-A form, and the AMs will contact issuers to discuss reasons and methodologies for doing so. However, AMs will still approve the disputes to allow for the corrections to be processed.

Issuer Prior Year Approval Request Form: Successful Example

- All fields are filled out and formatted correctly.
- The reason for the delay includes details about how the problem was identified and what occurred.
- The preventative action indicates that the correction was successfully implemented.
- The issuer has contacted the consumers about the new 1095-A forms that will result from the change.

1. Issuer point of contact (POC) for ER&R to work with when resolving prior year disputes:
   POC name: Lunella Lafayette
   POC e-mail: L.Lafayette@MGHealth.com
   POC phone number: 555-555-1234

2. Date the issuer will be ready to submit disputes to ER&R: 7/1/2019

3. HIOS IDs impacted: 86753, 90210, 12345

4. Volume of policies that require updates to the FFM: 1250 policies

Please note that disputes that are the result of HICS cases do not require AM approval.
Please make sure the HICS Case ID is provided on the dispute form to ensure proper processing.

5. Reason for the delay in submission of disputes:
   Upon an internal audit of our enrollment records, we determined there was a defect in the system that was not appropriately timestamping payment received in the mailbox. This caused erroneous termination and these policies need to be reinstated. We have corrected the defect to ensure the correct timestamp is accounted to prevent erroneous terminations for non-payment of premiums.

6. Actions the issuer is taking to prevent prior year disputes:
   The issue is resolved and should not result in further disputes.

7. Will prior year dispute updates result in 1095-A corrections? yes
   If so, were the consumers notified that they will receive corrected 1095-A forms? yes

AM Process for Prior Year Dispute Approval

Once the AM reviews the Issuer Prior Year Approval Request Form, the AM will notify the ER&R Contractor of the approval.

- The AM will provide ER&R the following information:
  - Volume of policies approved and the HIOS IDs impacted
  - Contact information provided by the issuer
  - The deadline for disputes to be submitted
    - Disputes must be submitted by 3:00 PM ET on the deadline date.
- ER&R will notify the AM and the issuer POC via email once the approval is processed.
  - Disputes will be rejected if submitted before the approval is received.
- After receiving the email notification from ER&R, issuers should submit the disputes using their existing procedures.

AM Process for Prior Year Dispute Approval FAQ (1 of 4)

Q: How does an issuer find out who their AM is?

A: *If an issuer is unable to determine their AM through internal resources, the issuer may email their HIOS ID to the ER&R Support Center. The ER&R Support Center will provide the AM's contact information.*

Q: Do issuers submit disputes to the AMs for approval?

A: *No, issuers should not submit the actual disputes to the AMs. The issuer will email the Issuer Prior Year Approval Request Form to the AM. This form can be found on zONE at* https://zone.cms.gov/system/files/documents/issuerprioryearapprovalrequest.xlsx.

Q: What are the approval criteria used by the AMs?

A: *AMs will not typically deny an approval request for prior year disputes. AMs will return Issuer Prior Year Approval Request Forms if the forms are missing information or filled out incorrectly. AMs are working to have a better understanding of the challenges that cause prior year disputes and will not reject reasonable requests that are contained within a correctly filled out form.*

Q: What is the cutoff for submitting prior year disputes without AM approval?

A: *Issuers may continue to submit prior year disputes without approval until noon ET on April 30th.*

Q: Will the AM approval process be affected by the 2016 off-cycle Reconciliation run?

A: *Yes, the issuers will be granted blanket approval for all 2016 disputes from May through September of 2019.*

AM Process for Prior Year Dispute Approval FAQ (2 of 4)

Q: What if a 2018 dispute that was submitted prior to May 1st is still "In Process" on May 1st?

A: *Approval requirement is determined based on the receipt date of the dispute. Disputes received prior to noon ET on April 30th do not require approval. ER&R processing time will not impact disputes received by that date/time.*

Q: If a prior year dispute was unsuccessful and the issuer is working with the ER&R Support Center to correct and resubmit it, does the issuer need approval to resubmit the dispute after April 30th?

A: *Yes, disputes that are corrected and resubmitted are considered new disputes and will require AM approval if they are received after noon ET on April 30th.*

Q: Will clearinghouse/TPAs work with AMs directly to obtain approval when submitting prior year disputes on behalf of the issuers?

A: *No, the issuers are responsible for contacting the AMs for approval.*

Q: What happens if an issuer submits a dispute without requesting approval?

A: *The dispute will be rejected with an FR74 disposition code.*

Q: What happens if an issuer submits a dispute after the deadline provided by the AM?

A: *The dispute will be rejected with an FR73 disposition code.*

AM Process for Prior Year Dispute Approval FAQ (3 of 4)

ER&R

Q: Which updates result in corrected 1095-A forms being automatically mailed to consumers?

A: *Corrected forms are sent to consumers if any of the following is changed:*

- *Covered individuals*
- *Consumer names*
- *Dates of coverage*
- *Premium*
- *APTC*
- *MGPI ID*

Q: Which updates do not impact a consumer's 1095-A form?

A: *Updating the following will not cause new 1095-A forms to be sent to the consumer:*

- *QHP ID*
- *CSR*
- *User Fee*
- *Agent/Broker information*
- *Gender*
- *Tobacco Status*

AM Process for Prior Year Dispute Approval FAQ (4 of 4)

Q: For issuers who submit both ERRS Enrollment Disputes and ERRP Payment Disputes, are the issuers expected to discontinue submitting ERRP Payment Disputes for prior year disputes?

A: *Once an issuer has received approval for prior year disputes, the issuer may submit both Enrollment and Payment Disputes. Because Payment Disputes are based on RCNO data that is outdated, many prior year Payment Disputes are rejected. ER&R encourages issuers to send Enrollment Disputes for the specific data elements that they are disputing.*

Q: Can issuers provide multiple email addresses as their POCs?

A: *Issuers are limited to one (1) email address as the POC but are encouraged to set up their own internal email distribution group to include additional recipients.*

Q: We understand that in some scenarios ER&R routes Payment Disputes to the enrollment side. Is there any impact to this process?

A: *There is no impact to this process.*

Q: Does this impact State Based Exchange (SBE) disputes?

A: *There are currently no plans to implement this policy for SBE disputes.*

Q: When will approval be required for plan year 2019 disputes? Will it be the same in future years?

A: *Disputes will require approval as of May 1st of the subsequent year. In 2020, plan year 2019 disputes will require AM approval on May 1st.*