Federally-facilitated Marketplace (FFM) User Fee Adjustments for Contraceptive Services

August 22, 2016
11:30 a.m. – 1:00 p.m. ET

&

August 31, 2016
3:30 p.m. – 5:00 p.m. ET

Payment Policy & Financial Management Group
CCIIO/CMS

CMS
CENTERS FOR MEDICARE & MEDICAID SERVICES

WWW.REGTAP.INFO

Session Agenda

- Session Guidelines
- Intended Audience
- Purpose
- Overview of FFM User Fee Adjustments for Contraceptive Services for the 2015 Benefit Year
- Notice of Intent Disclosure Form
- Completing the FFM User Fee Adjustment Web Form
- Questions
- Resources

Session Guidelines

- This is a 90-minute webinar session
- For questions regarding logistics and registration, please contact the Registrar at: (800) 257-9520
- For questions regarding content, please submit inquiries to: FFMUserFeeAdjustments@cms.hhs.gov

Intended Audience

- Third Party Administrators (TPAs), including Pharmacy Benefit Managers (PBMs) that provide services for contraceptive services under contract with an eligible organization, and the Federally-facilitated Marketplace (FFM) issuers who have entered into an agreement with these TPAs for purposes of receiving an adjustment to their FFM user fee

Session Purpose

- Overview of FFM User Fee Adjustments for Contraceptive Services for the 2015 Benefit Year
- Requirements to receive a FFM User Fee Adjustment
- How to complete and submit the FFM User Fee Adjustment web form and TPA/PBM claims reporting form
- Review key deadlines for submission of the web form

Overview of FFM User Fee Adjustments for Contraceptive Services for the 2015 Benefit Year

Contraceptive Coverage in the Affordable Care Act

- The "Coverage of Certain Preventive Services Under the Affordable Care Act" Final Rules 78 FR 39870 and 80 FR 41318 (July 2, 2013 and July 14, 2015) set forth regulations regarding coverage for certain contraceptive services.
  - The rules ensure that individuals in group health plans have access to the full range of approved contraceptives without cost sharing, while respecting eligible organizations' religious-based objections to contraception.
    - Note: enrollees in group health plans of exempt religious employers will not have access to coverage for these services
- Eligible organizations can receive an accommodation relating to contraceptive coverage so that they are not required to provide, arrange, or make payment for these services.

Who is Eligible for the Contraceptive User Fee Adjustment?

- The Final Rules fund the payments for contraceptive services paid for on behalf of participants and beneficiaries in self-insured group health plans of eligible organizations through an adjustment to the FFM User Fee, payable by an issuer participating in the FFM.
  - In order to facilitate the FFM User Fee Adjustment, the Final Rules require information collection from applicable participating FFM issuers and TPAs/PBMs.

Contraceptive Payment Arrangements

- An issuer may qualify for an adjustment of FFM user fees if the issuer made payments for contraceptive services on behalf of a TPA/PBM (45 CFR 156.50(d)).
- If a TPA/PBM provides or arranges payments for contraceptive services, the costs of the payments may be reimbursed through an adjustment of FFM user fees for a participating issuer (26 CFR 54.9815-2713A(b)(3)).

Administrative Cost Adjustment

- Issuers who receive an FFM user fee adjustment for payments for contraceptive services will also receive an **adjustment for administrative costs and margin** (45 CFR 156.50(d)(3)(ii)).



For the 2015 Benefit Year, the adjustment for administrative costs and margin is 15 percent.

User Fee Adjustment Overview: FFM Issuers

- Within 60 days of receiving an FFM user fee adjustment, a participating FFM issuer must pay each TPA/PBM for which the issuer receives an adjustment amount **no less than** the portion of the adjustment attributable to the dollar amount of the payments (45 CFR 156.50(d)(5)).
- No such payment is required with respect to the allowance for administrative costs and margin.

Completing the Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form

Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form

- For the 2015 benefit year, FFM issuers and TPAs/PBMs that have partnered with an FFM issuer in order to receive reimbursement for contraceptive claims costs must complete the web form to report contraceptive claims paid on behalf of an eligible organization.
- FFM issuers must also complete the web form in order to receive an FFM user fee adjustment.

Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form Availability

- The *Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form* will be available from Monday, August 22, 2016 to Tuesday, September 20, 2016 at 11:59pm ET, you can access the form here: https://acapaymentoperations.secure.force.com/FFMUserFeeAdjustment



For assistance in completing the FFM User Fee Adjustment Web Form download the *FFM User Fee Adjustment Web Form Quick Start Guide*. The user guide is available on REGTAP, the CCIIO website, and from the web form.

Accessing the Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form

- The web form link will also be emailed to a CMS-specified list of FFM issuers and TPAs/PBMs that participated in the accommodation for self-insured group health plans for the 2014 benefit year
- For issuers and TPA/PBMs that are participating for the first time for the 2015 benefit year, the link to the web form will be available on the CCIIO website and on slide 14 of this presentation, which is available on REGTAP.
  - The web form will be available on **Monday, August 22, 2016.**
  - If you have any questions regarding the location of the web form, please email FFMUserFeeAdjustments@cms.hhs.gov.

Accessing the Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form (continued)

- All FFM user fee adjustment requests and TPA/PBM information **must** be submitted through the web form.
- Submissions by email will not be accepted.



The web form must be completed in a single session – you will not be able to save entered information.

Web Form: Welcome Page and Contact Information Page

Welcome Page

- Select the benefit year for which you are submitting an FFM user fee adjustment form from the drop-down menu.
  - For the web form, with a September 20, 2016 submission deadline, there will only be the “2015” benefit year option .
- Select the **Continue** button.
  - The form navigates to the Contact Information page.

Contact Information Page

- The Submitter and Alternate Contact information must not be the same individual.
- Select the **Continue** button
  - The form navigates to the Organization Type page.

Web Form: Organization Type Page

Organization Type Page

- Select your Organization Type, either FFM issuer or TPA/PBM.
- If the FFM issuer and the TPA/PBM are part of the same entity, the user should select “FFM issuer” only.
- Select the **Continue** button.

If “FFM Issuer” is selected then the form navigates to the FFM Issuer User Fee Adjustment Information page.

If “TPA/PBM” is selected then the form navigates to the TPA/PBM Notice of Intent page.

Completing the Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form for FFM Issuers

Web Form: FFM Issuer User Fee Adjustment Information Page

FFM Issuer User Fee Adjustment Information Page

- Enter the following required fields:
  - Legal Business Name
  - Tax Identification Number
  - HIOS ID – must be a valid HIOS ID for the benefit year
  - Number of TPA(s) or PBM(s) for which the FFM Issuer has agreed to reimburse for the cost of contraceptive claims
- Select the **Create Table** button



The number entered in the "Enter the number of TPA(s) or PBM(s) for which the FFM Issuer has agreed to reimburse for the cost of contraceptive claims" field will determine how many rows are created in the FFM User Fee table.

Web Form: FFM Issuer User Fee Adjustment Information Page (continued)

- Enter the following required fields for each row in the created FFM User Fee table:
  - TPA or PBM Legal Business Name
  - Tax Identification Number for TPA or PBM
  - Select **Yes** or **No** from the dropdown menu for the question, “Is the issuer part of the same entity as the TPA/PBM that incurred claims for contraceptive services)?”
  - Total Amount Paid to the TPA/PBM by the FFM Issuer for Contraceptive Claims Incurred through Dec 31
- Select the **Calculate** button to auto-populate the User Fee Adjustment Amount column and the Totals row
- Select the **Continue** button
  - The form navigates to the Summary page



There is an additional link (**Delete**) and buttons (**Delete Table, Add Row**) on the FFM Issuer User Fee Adjustment Information page to make changes to the FFM User Fee table, if necessary.

Completing the Federally-facilitated Marketplace (FFM) User Fee Adjustment Web Form for TPAs/PBMs

Notice of Intent Disclosure Form

- TPAs, including PBMs, should submit the Notice of Intent Disclosure Form through the web form from Monday, August 22, 2016 through Tuesday, September 20, 2016

Web Form: TPA/PBM Notice of Intent Page

TPA/PBM Notice of Intent Page

- Enter the following required fields:
  - Name of TPA or PBM
  - Self-Certification Date
  - TPA or PBM Mailing Address
    - Address Line 1
    - Address Line 2 (optional)
    - City
    - State – select from the dropdown menu
    - Zip Code
  - Select **Yes** or **No** for the question, "Do you intend to arrange for a participating issuer to seek a Federally-facilitated Marketplace User Fee Adjustment on your behalf?"
- Select the **Continue** button
  - The Form navigates to the TPA/PBM Report of Contraceptive Claims Costs page

Web Form: TPA/PBM Report of Contraceptive Claims Costs Page

TPA/PBM Report of Contraceptive Claims Costs Page

- Confirm the TPA or PBM Name is what was entered on the TPA/PBM Notice of Intent page
- Enter the following required fields:
  - Tax Identification Number
  - Number of Self-Insured Group Health Plans for which the TPA or PBM intends to seek an adjustment
- Select the **Create Table** button



The number entered in the “Enter the number of Self-Insured Group Health Plans for which the TPA or PBM intends to seek an adjustment” field will determine how many rows are created in the FFM User Fee table.

Web Form: TPA/PBM Report of Contraceptive Claims Costs Page (continued)

- Enter the following required fields for each row in the created FFM User Fee table:
  - Self-Insured Group Health Plan Tax Identification Number
  - Number of Participants and Beneficiaries in Self-Insured Group Health Plan Administered by the TPA or PBM
  - Amount of Total Contraceptive Claims Paid by the TPA or PBM – rounded to the nearest hundredth



For the submission with a September 20, 2016 deadline, claims reported should be eligible contraceptive claims (as defined by HHS) that have been **incurred during the 2015 benefit year only**.

Web Form: TPA/PBM Report of Contraceptive Claims Costs Page (continued)

- Select the **Calculate** button to auto-populate the Totals row
- Select the **Continue** button
  - The form navigates to the Summary page



There is an additional link (**Delete**) and buttons (**Delete Table, Add Row**) on the TPA/PBM Report of Contraceptive Claims Costs page to make changes to the FFM User Fee table.

Web Form: Summary Page for FFM Issuers and TPAs/PBMs

Summary Page

- Review the following:
  - If you are an FFM issuer, review the FFM Issuer User Fee Adjustment table
  - Select **Yes** or **No** to the question, "Are you requesting an adjustment to the FFM user fee for another HIOS ID?"



If **Yes** and the **Continue** button are selected, the form navigates to the FFM Issuer User Fee Adjustment Information page.

If you are a TPA/PBM, review the TPA/PBM Notice of Intent and TPA/PBM Report of Contraceptive Claims Costs sections.

- Select the **Continue** button
  - The form navigates to the appropriate Attestation page



There is an additional button (**Edit Contact Information**) and links (**View**, **Edit**, **Delete**) on the Summary page to update Contact Information and make changes to either the FFM Issuer or TPA/PBM User Fee tables.

Web Form: FFM User Fee Adjustment FFM Issuer Attestation Page

FFM User Fee Adjustment Issuer Attestation Page

- Thoroughly review the Attestation statement in its entirety
- Select the check box next to the attestation statement to indicate agreement
- Complete the Attester Details section with the following information:
  - First Name
  - Last Name
  - Email Address
  - Job Title
  - Phone Number
  - Phone Extension (optional)
- Select the Submit button to submit the FFM User Fee Adjustment data and attestation
  - The form navigates to the Confirmation page





The individual providing the attestation must be someone with the authority to legally and financially bind the company.

Web Form: FFM User Fee Adjustment TPA/PBM Attestation Page

FFM User Fee Adjustment TPA/PBM Attestation Page

- Thoroughly review the Attestation statement in its entirety.
- Select the check box next to the attestation statement to indicate agreement.
- Complete the Attester Details section with the following information:
  - First Name
  - Last Name
  - Email Address
  - Job Title
  - Phone Number
  - Phone Extension (optional)
- Select the Submit button to submit the FFM User Fee Adjustment data and attestation
  - The form navigates to the Confirmation page



NOTE

The individual providing the attestation must be someone with the authority to legally and financially bind the company.

Web Form: Confirmation

Confirmation Page

- An acknowledgement email is sent from FFMUserFeeAdjustments@cms.hhs.gov to the email addresses in the Contact Information and Attester Details sections of the web form
- Select the PDF button to view the confirmation
  - It is recommended that you print/save the PDF confirmation for your records
- The PDF is the formal confirmation of attestation and submitted FFM User Fee Adjustment information
- Select the **Exit** button to exit the web form
  - The form navigates to the Welcome page



It is recommended that you print and save a copy of the Confirmation for your records.

Frequently Asked Questions Guidance

- On August 22, 2016, CMS released the FAQs for Federally-facilitated Marketplace (FFM) User Fee Adjustment Submission Requirements, Frequently Asked Questions and Answers
  - Available at: https://www.regtap.info/ and then filter by: User Fees”

Frequently Asked Questions Guidance
(continued)

- Reminder the submission window to request an FFM user fee adjustment for the 2015 benefit year is **Monday, August 22, 2016 through Tuesday, September 20, 2016**
- If you have any questions, please email FFMUserFeeAdjustments@cms.hhs.gov

Questions?

To submit questions by phone:

- Dial *# (star-pound) on your phone's keypad to ask a question
- Dial *# (star-pound) on your phone's keypad to withdraw your question

To submit questions by webinar:

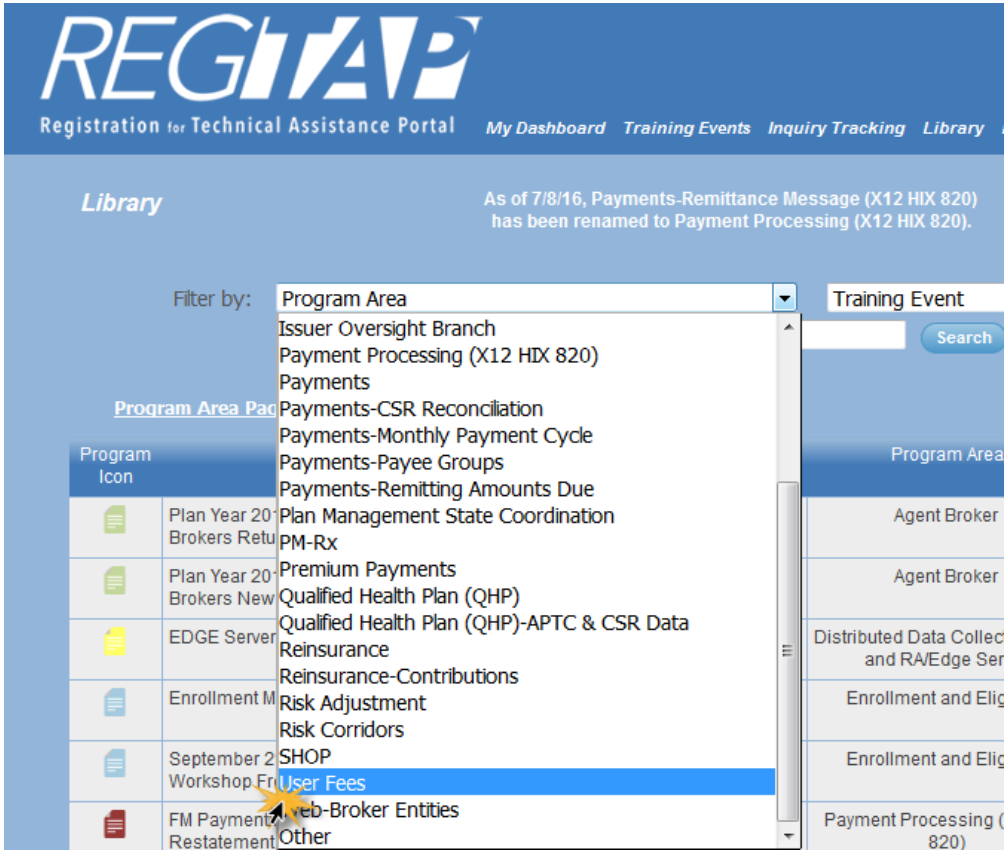
- Type your question in the text box under the 'QA' tab

Resources

Locating Documents in REGTAP

Stakeholders can access additional documents at https://www.REGTAP.info in the REGTAP Library.

Under Program Area, select “User Fees”



Resources

Resource	Resource Link
U.S. Department of Health & Human Services	http://www.hhs.gov/
Centers for Medicare & Medicaid Services (CMS)	http://www.cms.gov/
The Center for Consumer Information & Insurance Oversight (CCIIO) web page	http://www.cms.gov/cciio
Registration for Technical Assistance Portal (REGTAP) - presentations, FAQs	https://www.REGTAP.info
Premium Stabilization Programs	https://www.cms.gov/CCIIO/Programs-and-Initiatives/Premium-Stabilization-Programs/index.html

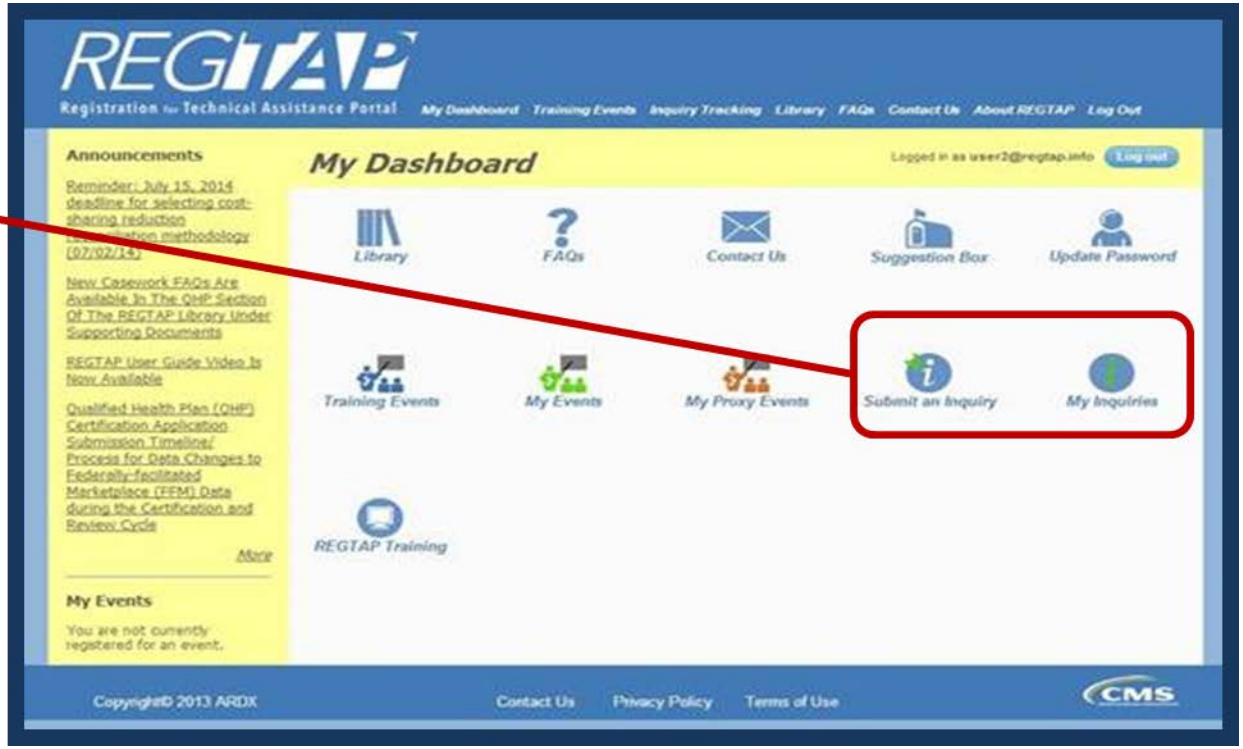
Resources (continued)

Resource	Resource Link
Patient Protection and Affordable Care Act (ACA)	http://www.gpo.gov/fdsys/pkg/PLAW-111publ148/content-detail.html
Standards Related to Reinsurance, Risk Corridors, and Risk Adjustment under the Affordable Care Act	http://www.gpo.gov/fdsys/pkg/FR-2013-03-11/pdf/2013-04902.pdf
HHS Notice of Benefit and Payment Parameters for 2014 and Amendments to the HHS Notice of Benefit and Payment Parameters for 2014	http://www.gpo.gov/fdsys/pkg/FR-2013-03-11/pdf/2013-04902.pdf
HHS Notice of Benefit and Payment Parameters for 2015	http://www.gpo.gov/fdsys/pkg/FR-2014-03-11/pdf/2014-05052.pdf
HHS Notice of Benefit and Payment Parameters for 2016	http://www.gpo.gov/fdsys/pkg/FR-2015-02-27/pdf/2015-03751.pdf
HHS Notice of Benefit and Payment Parameters for 2017	https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04439.pdf

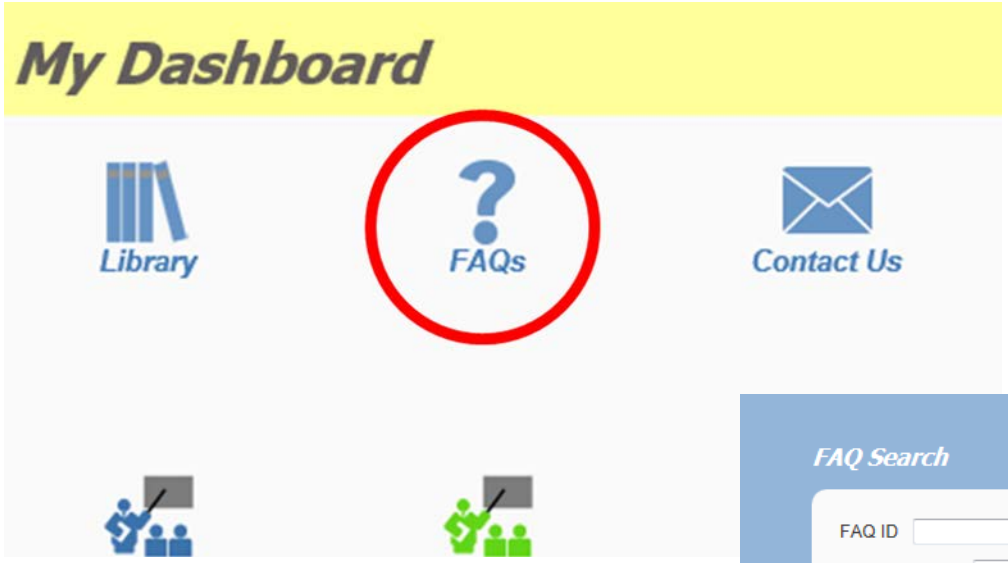
Inquiry Tracking and Management System (ITMS)

Stakeholders can submit inquiries to ITMS at https://www.REGTAP.info

Select ‘Submit an Inquiry’ from My Dashboard



FAQ Database on REGTAP



The FAQ Database allows users to search FAQs by FAQ ID, Keyword/Phrase, Program Area, Primary and Secondary categories, and Publish Date

FAQ Database is available at https://www.regtap.info/

