



DATE: February 09, 2021
TO: All Insurers Authorized to Write Health Insurance in Wisconsin
FROM: Mark V. Afable, Commissioner of Insurance
SUBJECT: Voluntary Participation in Special Enrollment Period for Products Offered Outside the Federal Marketplace

On January 28, 2021, President Biden signed an Executive Order reopening the HealthCare.gov marketplace to permit individuals an extended period of time to enroll in comprehensive health insurance coverage. The Centers for Medicare and Medicaid Services (CMS) announced the federal marketplace will reopen for a three-month Special Enrollment Period (SEP) beginning February 15, 2021 through May 15, 2021.ⁱ

The Office of the Commissioner of Insurance (OCI) is encouraging insurers offering qualified health plans to implement a parallel SEP for the insurers' health insurance products offered outside the marketplace. If insurers decide to offer a SEP, it must be open to all consumers without discrimination and run the same duration as the federal marketplace open enrollment period.

“Although insurers are not required to open access to their ACA-qualified insurance products outside the marketplace, this is an opportunity to provide consumers with affordable health insurance options during this unprecedented time,” said Commissioner Afable.

Insurers who decide to provide a parallel SEP offering health plans outside the marketplace should file an informational letter in the System for Electronic Rate and Form Filing (SERFF) indicating they are making such an offering.

Any questions concerning this bulletin should be directed to Sarah Smith at Sarah.Smith2@wisconsin.gov.

ⁱ See CMS new release, <https://www.cms.gov/newsroom/fact-sheets/2021-special-enrollment-period-response-covid-19-emergency>