

LEGAL UPDATE

2022 Notice of Benefit and Payment Parameters Partially Finalized

On Jan. 19, 2021, the Department of Health and Human Services (HHS) published a [Notice of Benefit and Payment Parameters \(NBPP\) for 2022](#) that finalized some of the standards included in the proposed notice issued at the end of 2020.

The NBPP describes benefit and payment parameters under the Affordable Care Act (ACA) that apply for the 2022 benefit year. Standards that were finalized in the NBPP include:

- Updated user fees for the 2022 benefit year for issuers offering plans through a Federally Facilitated Exchange (FFE) or State-based Exchange on the Federal Platform (SBE-FP);
- Establishment of a new Exchange direct enrollment option through a state Exchange, SBE-FP or FFE;
- Implementing standards requiring individual market QHP issuers to accept payments made from an individual coverage health reimbursement arrangement (ICHRA) or qualified small employer health reimbursement arrangement (QSEHRA); and
- Amending Section 1332 waiver application procedures, monitoring and compliance, and periodic evaluation requirements.

The remaining provisions from the proposed notice, such as the updated cost-sharing limit and affordability exemption percentage, are expected to be finalized in a second notice that will be issued later in the year.

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Important Dates

Dec. 4, 2020

The 2022 Proposed Notice of Benefit and Payment Parameters was published.

Jan. 19, 2021

HHS finalized some of the standards included in the proposed notice

Later in 2021

The remaining proposed standards, such as the cost-sharing limit and affordability exemption percentage, are expected to be finalized in a second notice later in the year.

The Notice of Benefit and Payment Parameters describes benefit and payment standards for the 2022 benefit year.



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