



Since actuarial value is increased only for eligible on-exchange enrollees in silver plans, many state regulators have concluded the most equitable way to account for CSRs is to load only on-exchange silver plans. Within current law, regulators do not see an opportunity to fine tune the application of the CSR load. This does increase costs to taxpayers since the law ties premium subsidies to silver plan premiums. Because Congress chose this subsidy structure and it did not add an explicit appropriation for CSRs, NAIC believes the most appropriate way to address any adverse effects of actuarial loading is through legislative action.

The NAIC urges that, in the absence of Congressional action regarding resumption of CSR reimbursements, the Centers for Medicare and Medicaid Services (CMS) take no action by rulemaking to limit the tools available for state regulators in this area. Removing the state option for actuarial loading would destabilize insurance markets that have otherwise recently achieved

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*Mid-Year Changes to Drug Formularies*

