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BULLETIN NO. 24-05

TO: ALL NEW JERSEY HEALTH INSURANCE COMPANIES; HEALTH SERVICE CORPORATIONS; HEALTH MAINTENANCE ORGANIZATIONS; DENTAL SERVICE CORPORATIONS; DENTAL PLAN ORGANIZATIONS; AND OTHER INTERESTED PARTIES

FROM: JUSTIN ZIMMERMAN, ACTING COMMISSIONER

RE: EXPANSION OF UNWINDING SPECIAL ENROLLMENT PERIOD; SIX-MONTH GUARANTEED ISSUE RIGHT FOR MEDICARE SUPPLEMENT PLANS

The purpose of this bulletin is to update Bulletin 24-03 regarding the Unwinding Special Enrollment Period and the guaranteed issue period for Medicare supplement plans. Specifically, this bulletin advises carriers that eligible consumers who submit a new application or update an existing application for coverage through Get Covered New Jersey between March 31, 2023 and November 30, 2024, and attest that they have lost Medicaid or Children's Health Insurance Program ("CHIP") coverage between the same time period, will be eligible for an Unwinding Special Enrollment Period ("Unwinding SEP"). In addition, this bulletin revises and clarifies Bulletin No. 24-03 regarding the guaranteed issue period for Medicare Supplement plans.

Unwinding SEP Update

On March 25, 2023, the Department issued Bulletin No. 23-02, which advised carriers that qualified individuals and their families who lost Medicaid or CHIP (together referred to as "NJ FamilyCare") coverage between March 31, 2023 until July 31, 2024 would be eligible to apply for coverage through Get Covered New Jersey during a 120-day Unwinding SEP. This was later supplemented by Bulletin No. 24-03, which provided an Unwinding SEP to all qualified individuals who lose NJ FamilyCare coverage between March 31, 2023 and July 31, 2024 who submit a new or updated application for coverage through Get Covered New Jersey during that period. This bulletin further extends the Unwinding SEP to all qualified individuals who lost NJ Family Care coverage from March 31, 2023 to November 30, 2024. Any eligible consumer who attests to losing Medicaid or CHIP coverage between that same time period will be eligible for the Unwinding SEP.

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Six Month Guaranteed Issue Right for Medicare Supplement Plans

Bulletin No. 24-03 directed carriers marketing Medicare Supplement plans in the over age 65 market to provide a six-month guaranteed issue period to apply for a Medicare Supplement plan, which guaranteed issue period commences from the date of enrollment in a Medicare Part B plan. This bulletin revises Bulletin No. 24-03 and directs carriers marketing Medicare Supplement plans in the over age 65 market to provide a six-month guaranteed issue period to individuals who lost NJ FamilyCare coverage commencing from the date of Medicaid termination, or from the date of this bulletin, whichever occurs later, to apply for a Medicare Supplement plan on a guaranteed issue basis. This guaranteed issue period is to be available regardless of the date of enrollment in Medicare Part B, so long as the individual lost Medicaid coverage during the unwinding period of March 31, 2023 to November 30, 2024.

With respect to Medicare supplement plans marketed in the under age 50 and the age 50-64 markets, carriers are advised that the guaranteed issue period that otherwise applies to a given individual under current law is to be provided to that individual if the individual lost NJ FamilyCare coverage during the unwinding period of March 31, 2023 to November 30, 2024. In the case of an individual who enrolled in Medicare Part B prior to January 1, 2020 and lost NJ FamilyCare coverage during the unwinding period, the guaranteed issue period is six months from the date the individual lost NJ FamilyCare coverage or six months from the date of this bulletin, whichever is later. In the case of an individual who enrolled in Medicare Part B on or after January 1, 2020 and lost NJ FamilyCare coverage during the unwinding period, the guaranteed issue period is 12 months from the date the individual lost NJ FamilyCare coverage or 12 months from the date of this bulletin, whichever is later.

Carriers should inform consumers who applied for a Medicare Supplement plan due to loss of Medicaid since March 31, 2023, and whose applications were denied, that they may reapply for coverage.

Questions regarding this bulletin may be directed to legsregs@dobi.nj.gov.

May 14, 2024
Date



Justin Zimmerman
Acting Commissioner

AR Unwinding and Med Supp Update/Bulletins