



# Silver State Health Insurance Exchange

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## AGENDA ITEM

For Possible Action

Information Only

**Date:** June 18, 2024

**Item Number:** VIII

**Title:** Possible approval of Memorandum of Understanding between the Silver State Health Insurance Exchange and the Division of Insurance

### Report

This Memorandum of Understanding (MOU) defines the respective roles and responsibilities of the Silver State Health Insurance Exchange (SSHIX) and the Nevada Division of Insurance (DOI) for administering Nevada’s statutory responsibilities under the Patient Protection and Affordable Care Act (ACA), including the division of labor for the annual process of certifying ACA Qualified Health and Dental Plans for sale through the Nevada Health Link Marketplace. The following is a summary of the changes versus the current version of the MOU:

- Increased redundancy of plan design review and certification processes.
- Increased collaboration and uniformity with respect to objections identified during plan review.
- Increased clarity with respect to defining Special Enrollment Periods which impact the off-Exchange insurance market.

In addition to these changes, two new sections were added to the document. The first new section, under the *Tribal* heading, defines SSHIX as being solely responsible for tribal liaison services and verification of tribal membership. The second new section, under the *Defrayal* heading, addresses new requirements for reimbursing insurance carriers for increased costs associated with the new categories of prescription drugs mandated by SB 439 (2021 session). These state-mandated categories, which include FDA-approved drugs for testing, treating, and preventing HIV, Hepatitis B and C, and Opioid Use Disorder, are currently in excess of the Essential Health Benefit standards of Nevada’s Benchmark Plan, so they do not qualify for federal reimbursement. The increased costs associated with these drugs must therefore be defrayed by the state.

## **Recommendation**

SSHIX believes that the proposed changes will provide a mutual benefit to both agencies and their stakeholders, and we recommend approval of the new MOU.