The American Rescue Plan Act of 2021 and Changes to New York State’s Essential Plan

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Time: 10:00am – 11:30am
Date: May 12, 2021
Dial-In Number: 1-855-897-5763
Conference ID: 2462355

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• Questions can be submitted at any time using the Q&A function on your WebEx control panel. We take questions at the end of the webinar.

• A recording of the webinar, the Q & A, and any printable materials will be available online and emailed to all registrants.
Introductions

Joe Muldoon  Director, Small Business Marketplace and Broker Program

Panelists

Joe Gagnon  Assistant Director of Plan Management, NY State of Health
Michael Greklek  Director, NY State Of Health Private Pay Home Care Program
Danielle Holahan  Deputy Director, NY State of Health
Stana Nakhle  Regional Representative, Small Business Marketplace and Broker Program
David Pitaniello  Regional Representative, Small Business Marketplace and Broker Program
Sonia Sekhar  Director, Policy and Evaluation
Today’s Agenda

1. Overview of the American Rescue Plan (ARP)
   • Eligibility Factors and a Review of APTC
   • APTC Change Implementation Timeline
   • Coverage for Unemployed New Yorkers

2. Changes to NY State’s Essential Plan

3. Brokers’ Role in these Changes
The American Rescue Plan Act was signed into law on March 11th, 2021. It has three main goals:

1. Mount a national vaccination program, contain COVID-19 and safely reopen schools.

2. Deliver immediate relief to working families bearing the brunt of this crisis.
   - Sending $1,400 per person checks to households across America.
   - Providing direct housing and nutrition assistance.
   - Expanding access to safe and reliable childcare.
   - Increasing financial assistance for health insurance premiums.
   - Coverage for Unemployed New Yorkers.
   - Giving families with kids and childless workers an emergency boost in 2021.

Overview

The American Rescue Plan increases financial assistance for health insurance premiums.

• It will lower health care costs by providing new and expanded financial assistance (APTC) to New Yorkers enrolling in Qualified Health Plans (QHPs) through NY State of Health.

• This enhanced assistance is available to current enrollees and new enrollees, including higher-income individuals (over 400%FPL), for the first time.
Overview

The American Rescue Plan increases APTC for people who received Unemployment Insurance in 2021.

- There is more good news about health care for New Yorkers who are eligible for Unemployment Insurance in 2021.
- If a consumer received Unemployment Insurance for at least one week in 2021, the American Rescue Plan states that they will be able to sign up for a nearly free health plan through NY State of Health for coverage that lasts for all of 2021.
- To be eligible for this plan, they cannot be eligible for other health insurance such as Medicaid, Medicare, Child Health Plus, Essential Plan or employer-sponsored coverage.
Communication is Key!

https://info.nystateofhealth.ny.gov/americanrescueplan

NY State of Health Announces Significant New Tax Credits are Now Available to Lower the Cost of Health Coverage
NY State of Health Reaps Surging Over 144,000 Consumers Their Tax Credits are Available and Here’s How to Claim Them!

ALBANY, N.Y. (March 31, 2022) – NY State of Health, the state’s official health plan Marketplace, today announced increased financial assistance is now available to current and new consumers enrolling in a health plan through NY State of Health. NY State of Health began notifying consumers today of these higher tax credits amounts and how to apply them to further lower the cost of coverage. This financial assistance is being implemented as part of the American Rescue Plan signed into law on March 11, 2021.

“We are happy to share this good news with consumers. These new tax credits significantly lower the cost of health plan coverage for New Yorkers who buy through the Marketplace,” said NY State of Health Executive Director, Diana Fascezzi. “Current Marketplace consumers should log in and update their tax credit information to claim these new credits. We encourage all New Yorkers who need coverage to contact the Marketplace and see what is available.”

NY State of Health system changes will be made starting today, March 31, 2021. Consumers will receive a notice and email from NY State of Health no later than April 2, 2021 letting them know the increased amount of tax credits they will receive, and the action needed to claim them. For example, an individual earning $31,000 will now be eligible for an additional $120 more in monthly tax credits, lowering their monthly costs from $176 to $158 for the benchmark silver plan. This translates to an annual average of $1,200. Tax credits are also available now for New Yorkers with lower or moderate incomes who are new to the Marketplace. For an individual, this is an income of up to $53,000 per year and for a family of four, this is an income of up to $114,900 per year.

Starting in June, the new tax credits will be available to higher-income New Yorkers for the first time, lowering health care costs for good New Yorkers who access health insurance through the Marketplace. NY State of Health will provide information about the tax credits available to higher-income tax individuals in the coming months.

To allow as many consumers as possible to access these enhanced tax credits, and in light of the ongoing public health emergency, the 2021 Open Enrollment Period has been extended through December 31, 2021. Consumers can apply for coverage through www.nystateofhealth.ny.gov by phone at 1-855-332-3777 and by connecting with a free online assister.

To read more about how NY State of Health enrollees benefit from the American Rescue Plan, please go to https://info.nystateofhealth.ny.gov/americanrescueplan.
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Review of APTC Eligibility

• Consumers who are eligible for Medicaid, Child Health Plus, or Essential Plan are not eligible for APTC.

• Consumers who are offered employer-sponsored Health Insurance that is considered affordable are not eligible for tax credits.

• In order to receive APTC, consumers must attest that they will file their taxes. If married, they must file jointly, with some exceptions. This is so the IRS can reconcile the APTC received based on actual income.
**Review of APTC Calculation**

This chart below demonstrates that consumers with lower income are expected to contribute less to their monthly premiums.

The Marketplace will subtract this expected premium contribution from the cost of the second-lowest silver level plan in the county and the difference will be the amount of APTC someone is eligible for.

<table>
<thead>
<tr>
<th>Annual Household Income</th>
<th>Expected Premium Contribution</th>
<th>Monthly Dollar Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of FPL</td>
<td>% of Income</td>
<td></td>
</tr>
<tr>
<td>&gt;200% - ≤ 250%</td>
<td>2.0% - 4.0%</td>
<td>$43 - $106</td>
</tr>
<tr>
<td>&gt;250% - ≤ 300%</td>
<td>4.0% - 6.0%</td>
<td>$106 - $191</td>
</tr>
<tr>
<td>&gt;300% - ≤ 400%</td>
<td>6.0% - 8.5%</td>
<td>$191 - $362</td>
</tr>
<tr>
<td>&gt; 400%</td>
<td>8.5%</td>
<td>&gt; $362</td>
</tr>
</tbody>
</table>

*for a household of one (1) based on 2020 FPLs (Used for 2021 QHP Eligibility)

These rates are now **lower than ever** under the American Rescue Plan! Lower premium contribution rates mean more APTC for consumers!

- If the consumer chooses the Second Lowest Cost Silver Plan or a cheaper plan, they will not pay more than the percentage of income specified in the chart (monthly dollar amount).
- If the consumer chooses a more expensive plan, they will need to pay the amount in the chart plus the remainder of the premium cost for the plan they selected.
Applicants can choose how their credit is applied:

- Individuals may apply all their APTC toward a QHP’s monthly premium to lower the monthly cost of having insurance.

- Individuals can wait until they file taxes and receive the credit all at once.

- Individuals may also choose to split their tax credits by receiving some each month and some at tax time.

- Individuals may change their user selected APTC amount at any time. This change takes effect the first of the following month.
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Starting in early April, individuals with low and moderate incomes became eligible for higher tax credits.

- All consumers currently eligible for APTC were re-determined and became eligible for more tax credits.
- These consumers received a notice and an email informing them of their higher APTC amount.
- Action must be taken on these accounts to apply the APTC toward the QHP premium.
Consumers who were re-determined in April and have not acted will have additional APTC applied automatically by the system in May and the premium change will take effect for June 1\textsuperscript{st} coverage.

- Consumers will be able to “opt out” of the automatic application of additional APTC.

- APTC enrollees who had not previously applied 100% of their APTC toward their premium will be adjusted based on the percentage of APTC that they previously applied.
  
  \textbf{Example:} A married couple at 315\% FPL was eligible for $1,200 per month in APTC but only applied $600 per month toward their QHP.
  
  o When NY State of Health re-determined their eligibility in April, they became eligible for $1,600 per month in APTC but took no action.
  
  o In June, NY State of Health will automatically apply $800 in APTC toward the QHP premium, maintaining 50\% of the APTC originally applied.

- Retroactive APTC (back to January 1, 2021) will not be available in NY State of Health. Consumers will be able to claim unused PTCs when they file their taxes for the 2021 tax year.
In June 2021, NY State of Health will, for the first time, expand tax credits to tens of thousands of additional New Yorkers with higher incomes who, before the American Rescue Plan, did not qualify for financial assistance.

- Starting in June, APTC will be available for individuals and families over 400% FPL.

### June 2021
Above 400% FPL

**Examples:**

An individual in Kings County earning $55,000 per year (430% of FPL) would receive over $230 per month ($2,800 per year) in APTC.

An individual with an income of $64,000 per year (501% of FPL) in Nassau county, will now qualify for $144 per month in APTC.
The expected premium contribution has been reduced under the American Rescue Plan.

• Prior to the law, individuals may be required to contribute up to 9.83% of household income. Now, anyone over 400% FPL will have a maximum income contribution of 8.5%.

• Tax credits are available to higher income families for the first time ever.

• 8.5% of income is the cap for 2021 and 2022.

• All APTC eligible consumers may claim retroactive PTCs (back to January 2021) when they file their taxes for the 2021 tax year.
  o In order to be eligible for retroactive PTC, the consumer must have been enrolled in a QHP through NY State of Health.

In summary, APTC eligibility has expanded to higher income earners and subsidies have been expanded for lower and middle-income earners.
The American Rescue Plan also helps NY State of Health enrollees who received tax credits in 2020 to lower the cost they paid each month.

- Under the American Rescue Plan, for tax year 2020, individuals will not owe a repayment if their actual income was higher than what they estimated it would be when they enrolled in coverage.
- The IRS will reimburse enrollees who have already repaid any excess APTC on their 2020 tax return.
  - Taxpayers who received a letter about a missing Form 8962 should disregard the letter if they have excess APTC for 2020.
- If a consumer has not yet filed and would have owed for excess APTC, the IRS will process tax returns without Form 8962 for tax year 2020 and reduce the excess APTC repayment amount to zero.
- The process remains unchanged for taxpayers claiming a net PTC (i.e., the consumer is owed money) for 2020. They must file Form 8962 when they file their 2020 tax return.


Questions?
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The American Rescue Plan will provide coverage for unemployed New Yorkers.

- Permits the continuation of many unemployment benefits put in place by the CARES Act and the Families First Coronavirus Relief Act, through August 29, 2021.
- Regular Unemployment Insurance Benefits should always be added to the application under MAGI.
There are different types of Pandemic Unemployment Benefits and not all consumers count this as income under MAGI.

<table>
<thead>
<tr>
<th>Unemployment Assistance</th>
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<tbody>
<tr>
<td><strong>Unemployment Insurance Benefits (UIBs)</strong></td>
</tr>
<tr>
<td>This benefit must be added as household income for any consumer who is receiving it.</td>
</tr>
<tr>
<td><strong>Extension of Pandemic Unemployment Assistance</strong></td>
</tr>
<tr>
<td>This benefit must be added as household income for any consumer who is receiving it.</td>
</tr>
<tr>
<td><strong>Extension of Federal Pandemic Unemployment Compensation</strong></td>
</tr>
<tr>
<td>In 2021, if the consumer does not have children <strong>and</strong> their household income is more than $25,760 for a single individual or $34,840 for a couple, then this compensation must be added as household income.</td>
</tr>
<tr>
<td><strong>Extension of Pandemic Emergency Unemployment Compensation</strong></td>
</tr>
<tr>
<td>This benefit must be added as household income for any consumer who is receiving it.</td>
</tr>
<tr>
<td><strong>Suspension of Tax on Portion of Unemployment Compensation</strong></td>
</tr>
<tr>
<td>Suspension of tax on part of 2020 UIB has no impact on MAGI determinations in 2021 and beyond.</td>
</tr>
</tbody>
</table>
Coverage for Unemployed New Yorkers

If the consumer adds their Pandemic Unemployment Benefit to their NY State of Health application as income (see rules on previous slide), this income should be added as “Additional Income.” Choose “Other Income” from the drop-down menu and then type in the type of Pandemic UIB the consumer is receiving, along with the amount and applicable dates.
June 2021
Unemployment and a Nearly Free Health Plan

In June of 2021, NY State of Health will also enhance functionality to implement new rules to allow consumers who have been eligible for unemployment insurance for at least one week in 2021, a nearly free health plan through NY State of Health for coverage that lasts through the end of 2021.

- NY State of Health will identify individuals who qualify for this benefit and will send them an email or notice informing them of the benefit.
- Consumers will need to take action – enroll (if not already) and elect the tax credits - to receive this benefit.
- To be eligible for this plan, the consumer cannot be eligible for other health insurance such as Medicaid, Medicare, Child Health Plus, Essential Plan or (affordable) employer-sponsored coverage.
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Implementation Timeline

**June 2021**

1. Essential Plan 1 premium of $20 per person per month will be eliminated.

2. All Plans will include Vision and Dental coverage at no cost to the consumer.

No action needed for the consumer!

Essential Plan 1 will no longer have a premium cost of $20 per person per month.

NY State of Health is removing the $20 consumer premium responsibility for Essential Plan 1.

- Consumers will receive notifications from NY State of Health about the change in premium.
- For current enrollees, bills received in May which are for June 1st coverage will be reduced to $0.
The NYS Essential Plan (EP) will *now* include Vision and Dental benefits embedded in all plans.

- NY State of Health is adding vision and dental to Essential Plan 1 and 2.
  - Already included in Essential Plan 3 and 4.
- Current EP 1 and 2 enrollees who did not previously purchase vision and dental will begin to have coverage for these services starting June 1, 2021.
- Current EP 1 and 2 enrollees paying for vision and dental services will have these benefits continued unchanged but will no longer pay a premium beginning June 1, 2021.
- There will be no cost sharing for vision and dental benefits.
Consumer will receive notices on these changes from their health plans.

Some consumers will be able to use their current health plan card to access the vision and dental benefits. Others may be issued a new health plan card.

- Consumers should check with their current plan to find out if they need a new health plan card for medical, dental, and vision.
Essential Plan Vision and Dental Benefits, Continued…

• Consumers will have the option to keep their separate dental coverage through a Stand Alone Dental Plan (SADP) in addition to their EP coverage.

• EP members who elect to keep their SADP should be advised that:
  o their EP coverage through their health plan will begin covering dental services at no cost starting on June 1, 2021.
  o they will need to continue to pay the monthly premium for this SADP coverage and may still have cost sharing for these services.
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It is crucial to note that **NY State of Health cannot automatically apply** additional APTC to any consumer’s premium until June.

- Many consumers are eligible now for more APTC and likely want to utilize this additional APTC to lower their premiums right away. Brokers can help them do this.
- Taking these steps to increase the amount of APTC applied, will lower the consumer’s QHP premium on the first day of the following month.
- Brokers will be instrumental in helping consumers apply APTC immediately.
- Here’s how to help:

To Change the Amount of APTC Applied:

1. Select the “Plans” tab from the Account Dashboard. Click the “Change APTC Amount” button under “Submitted Enrollment”.
2. On the Plan Selection Introduction page, click “Next”.
3. On the “Plan Selection Dashboard” click the “Review Plan Selections” button.
4. Change the amount of APTC applied, check the box at the bottom of the page, and click the “Confirm Plan Selections” button.
5. Receive confirmation of the change.
Role of Brokers

• Consumers whose eligibility was re-determined in April and have not acted by May 15th will have additional APTC applied automatically by the system.

• The premium change will take effect for June 1st coverage.
  - If the consumer “touched” their account after they were redetermined in April but did not change their APTC applied, NY State of Health will identify this and will not automatically apply additional APTC to the account.

• Consumers can change the amount of tax credit applied toward their premium at any time.
Some consumers may have been eligible for APTC in the past but have not enrolled in NY State of Health. Many of these individuals will be newly eligible or eligible for additional subsidies under the American Rescue Plan.

Reminder - subsidies are only available for individuals and families that enroll through the NY State of Health, including retroactively as noted earlier in the presentation.

Brokers with individual clients who enroll directly with an insurer can now help these clients understand what the new or additional APTC could mean for them (lower premiums) and encourage these individuals to enroll through NY State of Health.
Selecting “No” for “Do you want help paying for health coverage” means that the household can only become eligible for a Full-Pay QHP and will not be evaluated for APTC or other programs.

Selecting “No” for “Need Health Insurance” means that this individual household member is not seeking coverage and will not be evaluated for subsidies.

We are urging these consumers to update their applications and mark “Yes” to these questions, as appropriate, to see if additional APTC or elimination of the Essential Plan premium may entice them to enroll.

Once they change their answer to “Yes,” they may need to answer additional questions that were not previously presented to them about their income, other health insurance availability, etc....
Extended Open Enrollment

The 2021 Open Enrollment Period has been extended through the end of this year. This gives people the opportunity to apply for the first time, update their application or change plans.

- Applying or updating their application will likely result in more tax credits for those currently and newly eligible.
- This ongoing Open Enrollment Period extension will allow as many consumers as possible to access these enhanced tax credits, while taking into consideration the ongoing public health emergency.

Due to the extended Open Enrollment and the availability of American Rescue Plan enhanced tax credits, consumers who change plans will be “held harmless.”

- NY State of Health is requiring all health insurers to let consumers who change plans within the same insurer to carryover amounts they have spent towards the 2021 deductible and maximum out-of-pocket limit from their old health plan.
Eliminating the $20 premium for EP 1 enrollees was not a part of the American Rescue Plan but the timing of this change is one more step that makes coverage more affordable for New Yorkers.

- NY State of Health Brokers should work with consumers to see if the premium reduction to $0 might entice them to enroll.

- Brokers are knowledgeable on the Essential Plan. It has no deductible and free preventive care. It costs much less than other health plans and offers the same essential benefits such as:
  - doctor visits, including specialists;
  - tests ordered by your doctor;
  - prescription drugs;
  - inpatient and outpatient care at a hospital;
  - As of June 1, 2021: vision and dental benefits with no cost-sharing;
  - and more.
Questions?
Thank you for joining us!

- For general questions about your broker account, or questions about this specific training, please send an email to: NYSOHBrokerSupport@health.ny.gov.

- A recording of the webinar, the Q & A, and any printable materials will be available online and emailed to all registrants.