

Proposed CMS Program Integrity Rule

Government Affairs & Sales

June 4, 2025

Disclaimer:

The information provided in this webinar is for general information purposes and is not intended to be a substitute for either professional legal or financial advice. It is not meant as a professional legal opinion and should not be taken as a course of action without consulting with an attorney. Due to potential changing regulations, the content and examples referenced in this material are subject to revision.

Our Presenters

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Agenda

- 01 Oscar's Education & Training Plan for Agents
- 02 Overview of ACA Regulatory Environment
- 03 Deep-Dive into Key Proposed CMS Provisions & Recommended Actions
- 04 Oscar's Broker Portal Enhancements
- 05 What You Should Do & What's Coming Next

Note: This webinar will be hosted in Spanish at 1:30pm ET

Oscar's Education & Training Plan

Oscar's education plan to keep brokers informed and provide actionable recommendations

Throughout the year, Oscar will provide:

Additional **deep-dive webinars** into enhanced tax credit expiration and CMS provisions and how to best navigate

Email series with actionable recommendations brokers can take to mitigate the impact of these regulations

One-pagers on available plan options to guide members to the best plan for them

Broker portal enhancements to proactively identify members who may be impacted by these changes

Select **in-person trainings and dedicated webinars** throughout the summer and fall

Upcoming events

June 10: Release Oscar's Essential Guide to the Proposed CMS Program Integrity Rule & Broker Checklist



June 12: Kickoff Oscar's regulatory email series with a deep-dive focused on navigating proposals shortening OEP and ending monthly SEP for 150% FPL members.

June 17: Regulatory email series focused on navigating the proposed \$5 premium fee for members who auto-renew into a \$0 plan without verifying eligibility.

June 26: Regulatory email series focused on navigating proposed enhanced eligibility checks (DMIs) and FTR status.

June 26: Broker training webinar on navigating the ACA regulatory environment and protecting your book.
[Register here for English](#) (10:30am EST) or [Spanish](#) (1:30pm EST)

Overview of ACA Regulatory Environment

Refresher: Enhanced tax credits still set to expire on Dec. 31, 2025 unless Congress acts

- If you need a refresher, see [Oscar's Federal Policy Updates You Should Know webinar](#) from April 22
- Whether the enhanced tax credits will be renewed is currently uncertain
 - Three possible vehicles:
 - Current budget reconciliation negotiations
 - Continuing resolution by Sept 30, 2025
 - Another “must-pass” bill

What's new: CMS Final Program Integrity Rule is under review with OMB

WHAT IS IT?



The **first major individual market rule from the Trump Administration** in the president's second term.

Focused on **preventing fraud, waste, and abuse**, reducing adverse selection, and increasing affordability.

WHAT DOES IT MEAN?



Brokers will need to understand these new rules, if finalized, to:

- Ensure their members remain eligible for ACA plans & APTC.
- Properly communicate these changes to their members.
- Minimize the potential impact on their book of business.

WHAT DO I DO NOW?



You are in the right spot.

This training will help you **understand key provisions and recommended actions** to take now and during OEP.

Stay close to Oscar's future educational content to remain informed.

Timeline for Reconciliation passage & adoption

ESTIMATED DATE	TIMELINE SUMMARY
MID-MAY	Committee markups in Congress
LATE MAY - EARLY JUNE	House passed bill, moves to Senate
JUNE - JULY/AUGUST	Senate markups, compilation, and vote
JUNE - JULY/AUGUST	Final votes in both chambers, if passed, Trump signs bill and it becomes law
AUGUST	Congress in recess from 8/2 - 9/1

Deep-Dive into Key Proposed CMS Provisions & Recommended Actions

Introduction to key provisions in CMS rule

KEY CMS PROPOSED PROVISIONS	EFFECTIVE DATE ¹
Changing income eligibility checks (DMIs)	Effective soon after adoption
Ending SEP for 150% FPL members	Effective soon after adoption
Shortening OEP to 11/1 - 12/15	OEP 2026
Reverting FTR process to 1 year	OEP 2026
\$0 members who auto-renew and fail to verify eligibility would be subject to a \$5/month premium	OE 26' for 1/1/26+ effective dates for FFM states OE 27' for 1/1/27+ effective dates for SBE states

1. Effective dates are based on original CMS proposed rule from March 2025.

Changes to Income Eligibility Checks (DMIs)

Proposed Effective Soon After Adoption

Proposed changes to income eligibility checks

There are **three major proposed changes** to eligibility checks:

01

New data matching issue audits for members attesting to income above 100% FPL, when trusted data sources show income below 100% FPL.*

02

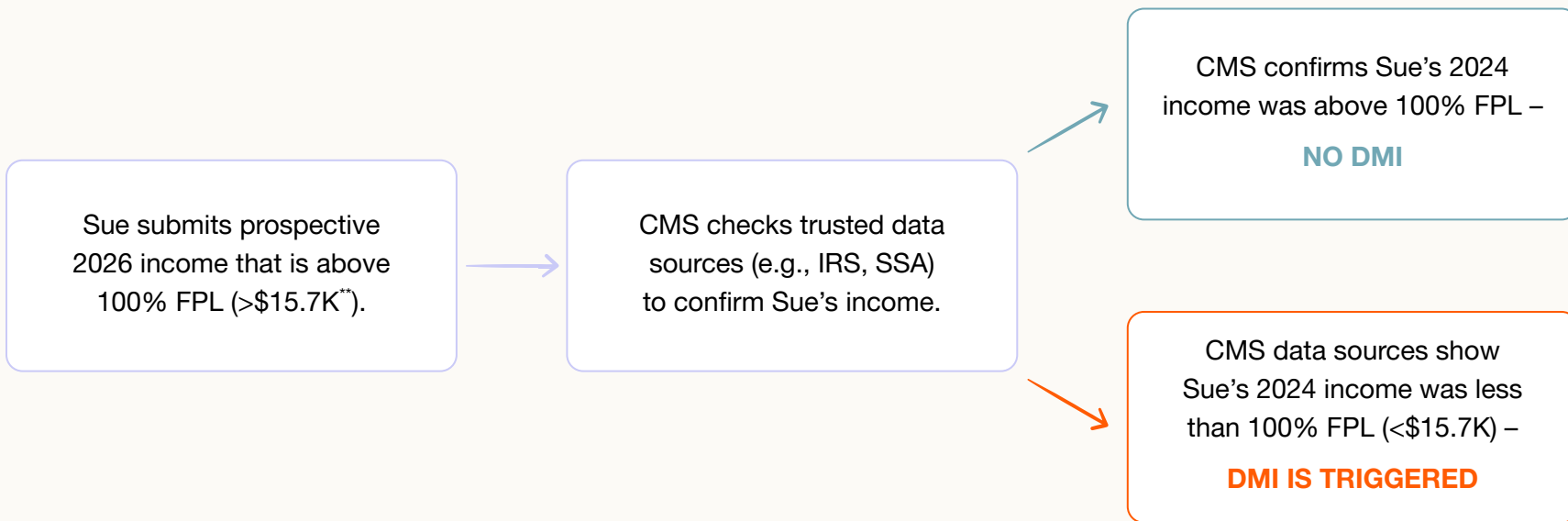
Exchanges may now require additional information when no tax return is available.

03

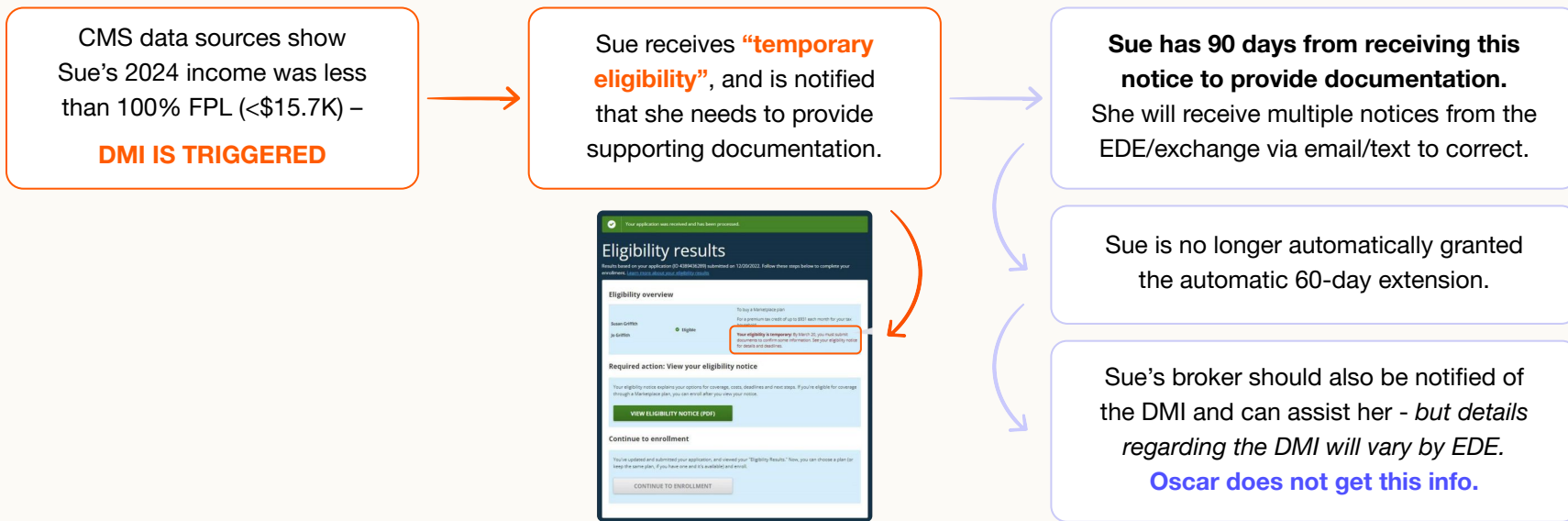
Removal of the automatic 60-Day extension for a DMI.*

*Deep-dives on following slides.

Process flow of an income-driven DMI - Triggering a DMI*



Process flow of an income-driven DMI - Resolving a DMI*



Compiling income verification documents

CMS has several resources to help identify which documents can be used to verify prospective income.

1. CMS will provide the member with information on which documents they can submit to verify their prospective income in their eligibility notice. See different [eligibility determination notices from CMS](#).
2. The [CMS Guide to Confirming Your Income Information](#) provides helpful examples on how to verify prospective income.
3. CMS also lists [potential documents to confirm your income](#) on their website.

1

Health Insurance Marketplace [Date]

Application ID # XXXXXXXXXX
Application date: [Date]

2025
Marketplace Eligibility Notice
Remember to update your application during the year with any changes.

[Name 1]
[Address]
[City, State, ZIP]

Results

Premium tax credit available for this household: \$1,042/month Estimated 2025 income used to determine eligibility for financial help: \$45,000/year

	(Name 1)	(Name 2)
Applied for coverage	•	•
Eligible to enroll in a Marketplace plan until January 15, 2025	•	•
Eligible to use the premium tax credit to pay for a Marketplace plan. Can use up to \$1,042/month for this household.	•	•
Eligible for extra savings (cost-sharing reductions). Will pay less for copayments, coinsurance, and deductibles when you're enrolled in a silver plan.	•	•
The Marketplace needs documents that confirm information in your application. (Details below.)	•	•

ACTION: Next steps

	(Name 1)	(Name 2)
By December 15, choose a Marketplace plan for coverage to start January 1. See Eligibility Guide , page 4.	•	•
By [date], submit documents to confirm household income. See Submitting Documents , attached.	•	•
By [date], submit documents to confirm citizenship. See Submitting Documents , attached.	•	•
Choose a silver plan to get extra savings.	•	•
Take steps to make sure you get the right amount of financial help. See Eligibility Guide , page 6.	•	•

See next pages to learn why you may not have qualified for other programs.

To learn when and how you can appeal, see [Eligibility Guide](#), page 8.
Questions about results or next steps? See the [Eligibility Guide](#) included with this notice.

For more help

HealthCare.gov Marketplace Call Center: 1-800-318-2596 TTY: 1-855-889-4325 LocalHelp.HealthCare.gov (for help in your area)	(State Medicaid name): [phone number]	(State CHIP name): [phone number]
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2

Name	Income type	Document	Gross* amount	Multiply by how often this person gets the income		Total
				Weekly: x12 Twice a month: x24 Every 2 weeks: x26	Monthly: x12 Quarterly: x4 Annually: x1	
Aaron Turner	Job	Best Coffee pay stub	\$500	x 26		\$13,000

3

Documents to confirm your household income

The documents you submit to the Marketplace to confirm your household income must show a yearly income amount that closely matches the yearly income amount you entered on your application. For example, if you have a different job than you had last year, send the Marketplace recent pay stubs from your new job, instead of last year's tax return or W2.

- **1040 federal or state tax return.** Must contain your first and last name, income amount, and tax year. If you file Schedule 1, you must submit it with your 1040.
- **Wages and tax statement (W-2 and/or 1099, including 1099 MISC, 1099G, 1099R, 1099SSA, 1099DIV, 1099SS, 1099INT).** Must contain your first and last name, income amount, tax year, and employer name (if applicable).
- **Pay stub.** Must contain your first and last name, income amount, and pay period or frequency of pay with the date of payment. If a pay stub includes overtime, tell us the average overtime amount per paycheck.
- **Self-employment ledger documentation** (can be a Schedule C, the most recent quarterly or year-to-date profit and loss statement, or a self-employment ledger). Must contain your first and last name, company name, and income amount. If you're submitting a self-employment ledger, include the dates covered by the ledger, and the net income from profits/loss.
- **Social Security Administration Statements** (Social Security Benefits Letter). Must contain first and last name, benefit amount, and frequency of pay.
- **Unemployment Benefits Letter.** Must contain your first and last name, source/agency, benefits amount, and duration (start and end date, if applicable).
- **Or, complete a written explanation form (PDF, 126 KB).** To submit this form, select "Other" from the drop-down menu when you're on the upload screen in the application.

Preparing to help members resolve DMIs

What can brokers do **now**?

- Have existing members gather key documents
- Start early because of the potential shortened OEP window

What can brokers do **during OEP**?

- Inform members of proposed 90-day window
- Provide CMS resources that list eligible verification documents

Helpful Resources for Resolving DMIs



[CMS Guide to Confirming Your Income Information](#)

[Potential Documents to Confirm Income, Immigration, and Citizenship from CMS](#)

[Example Eligibility Determination Notices from CMS](#)

Ending SEP for 150% FPL MMs

Proposed Effective Soon After Adoption

Ending monthly SEP for members at or below 150% FPL

What is the proposed provision?

Effective soon after adoption: Members at or below 150% FPL would no longer be eligible for monthly SEP, for all exchanges.

How does it impact me and my members?

150% FPL members would no longer be able to change carriers and plans monthly.

What should I do about this proposal?



Educate 150% FPL members that they may lose this enrollment option, and help members to enroll during OEP or via eligible SEPs.

How will Oscar help?

Provide awareness to the removal of this enrollment method. Advocate that brokers communicate this proposed change to their 150% FPL members.

Shortening OEP to 11/1-12/15

Proposed Effective OEP 2026 (Fall 2025)

Shortening OEP to 45 days, beginning on 11/1 and ending on 12/15 (vs 1/15)

What is the proposed provision?

Effective for OE26 (11/1/2025): OEP would now run from 11/1 to 12/15.

How does it impact me and my members?

Members would have a much shorter time to make plan decisions.

Considerations for brokers



- 1 Educate members of this proposal to ensure coverage successfully begins January 1st.
- 2 Communicate to 150% FPL members that they may no longer rely on SEP to gain coverage if they do not enroll during OEP.
- 3 Don't expect an extension of the OEP window.

Revert Failure to File and Reconcile (FTR) Process to 1 Year

Proposed Effective OEP 2026 (Fall 2025)

Revert Failure to File and Reconcile (FTR) process to 1 year

What is the proposed provision?

Effective for OEP 2026: If a member does not file their income taxes for tax year 2023 or 2024, and received APTC in those years, they would be given an FTR status.

How does it impact me and my members?

If a member does not resolve their FTR status by the end of OEP, they would lose APTC for PY26, starting on 1/1/26.

What should I do about this proposal?



Remind members to file taxes and Form 8962 for each year they received APTC, before the end of OEP.

How will Oscar help?

Oscar will not know if a member has an FTR status. However, we will communicate to members the importance of filing taxes to maintain APTC.

\$5 Premium for Auto-Renewed MMs

Proposed Effective 1/1/2026 for FFM states
Proposed Effective 1/1/2027 for SBE states

Fully subsidized, passively renewed members may have a \$5 monthly fee

What is the proposed provision?

Effective 1/1/26¹: Members auto-renewing (or passively renewing) into a \$0 plan who do not verify APTC eligibility would face a \$5 monthly fee until confirmed.

How does it impact me and my members?

Fully subsidized members would need to reconfirm their subsidy eligibility or risk a \$5/month fee. Once CMS confirms eligibility, full APTC would be reinstated going forward.

What should I do about this proposal?

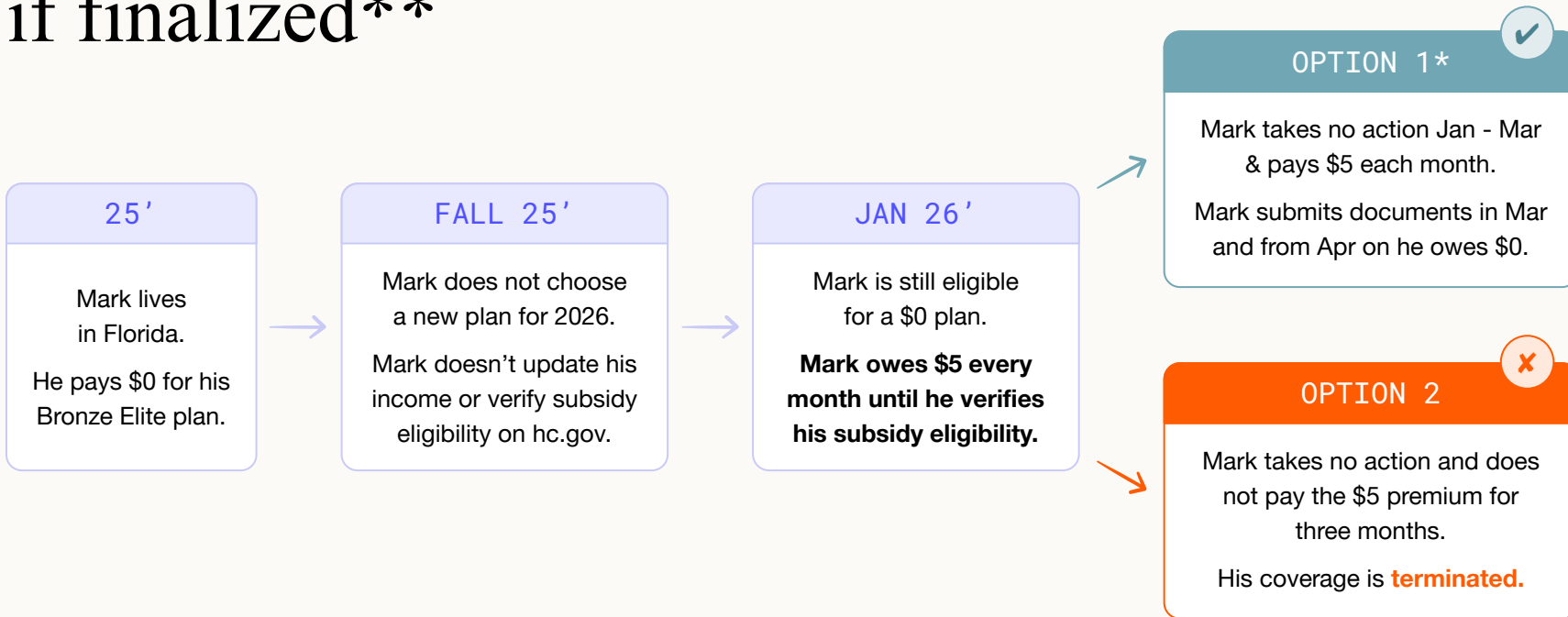


- Inform members with \$0 plans about this proposal.
- Emphasize the need to actively update and confirm their subsidy eligibility during OEP.
- Be prepared to assist members in updating eligibility ([Citizenship](#) and [Immigration](#) documents lists from CMS).

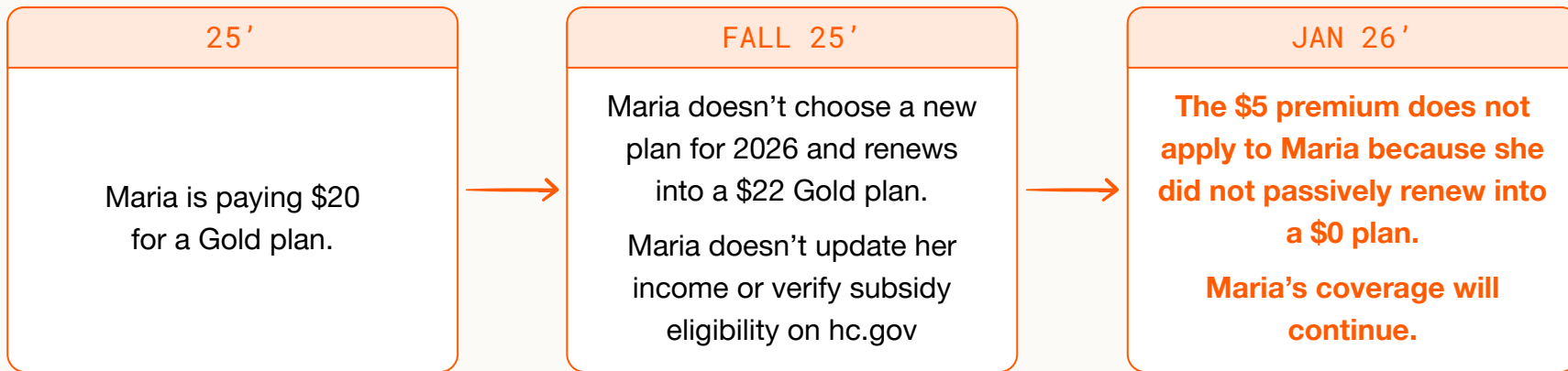
How will Oscar help? (More details in the following section)

We are working behind the scenes to make these administrative tasks easier on our broker partners.

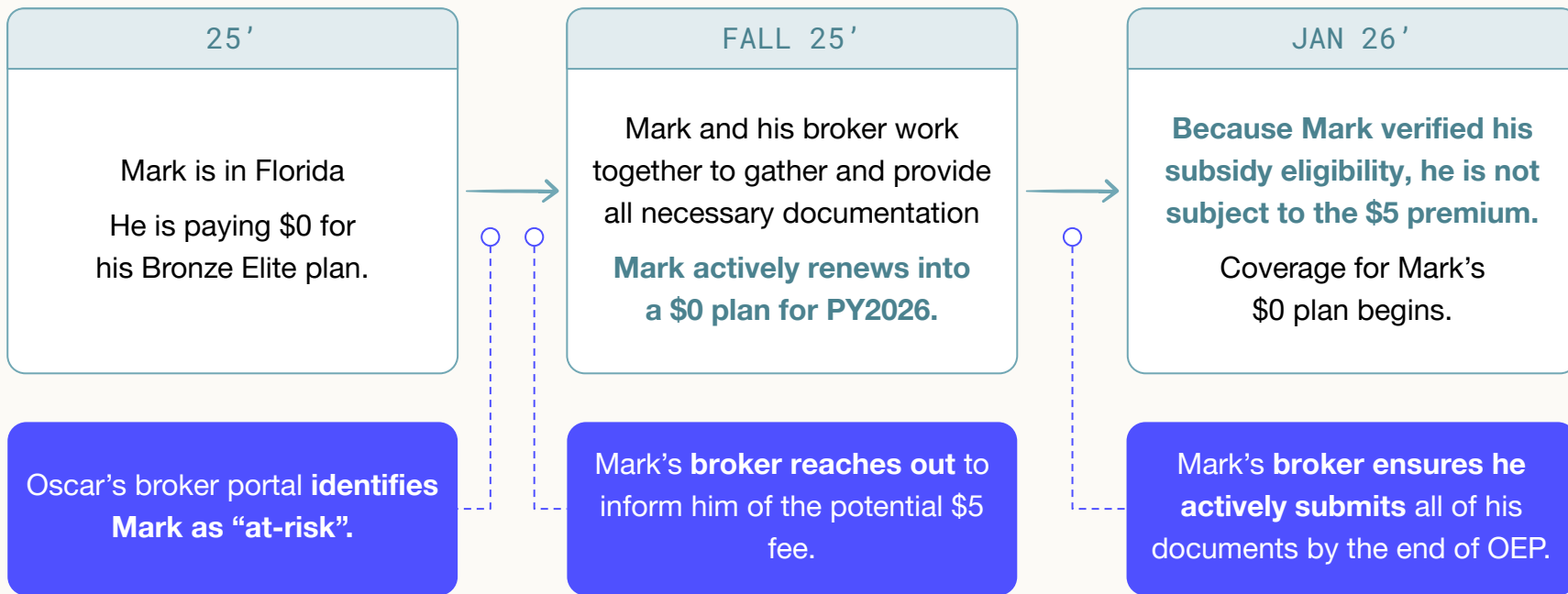
Walking through the \$5 monthly premium, if finalized**



Walking through the \$5 monthly premium, if finalized*



How Oscar and his broker can help Mark



Broker Portal Enhancements

Enhancements to Oscar's Broker Portal

ENHANCEMENT	DESCRIPTION	TIMING
Knowledge center	<ul style="list-style-type: none">• A one-stop shop for all of Oscar's regulatory education and training content, including webinar recordings, FAQs, one-pagers, etc.	Late Summer
Newsfeed	<ul style="list-style-type: none">• A "what's coming next" feed highlighting upcoming trainings, webinars, and critical deadlines.	Late Summer
At-risk member flags	<ul style="list-style-type: none">• Flag members likely facing large premium increases (if enhanced tax credits are not extended).• Flag members auto-renewed into \$0 plans who may face a \$5 premium and need active confirmation.	Prior to OEP
Guided workflows	<ul style="list-style-type: none">• Provide clear plan selection strategies based on projected premium increases and member characteristics.• Provide recommendations to ensure members retain eligibility and APTC (e.g., "Confirm eligibility for these members facing a \$5 premium).	Prior to OEP

Next Steps and Upcoming Education Events

Broker checklists to ensure a successful OEP

Broker checklist for existing members



- ☒ Reach out to members prior to the beginning of OEP and start the conversation early.

- ☒ Let your members know all of the potential documentation to pull together ahead of time.

- ☒ **Income verification:** [List of potential income verification documents from CMS.](#)

- ☒ **Citizenship or Immigration:** [List of potential confirmation documents from CMS.](#)

- ☒ **Tax filings:** Remind members to file taxes for each year they received APTC.

Broker checklist for new members



- ☒ Ask prospective member to gather a list of documents so you can ensure the smoothest enrollment possible.

- ☒ Inform prospective members of all the potential documentation to pull together ahead of time.

- ☒ **Income verification:** [List of potential income verification documents from CMS.](#)

- ☒ **Citizenship or Immigration:** [List of potential confirmation documents from CMS.](#)

- ☒ **Tax filings:** Remind members to file taxes for each year they received APTC.

What brokers can do now



ACTION ITEMS



Complete broker checklist for existing and new members (see previous slide).



Reach out to your Oscar sales executive with any additional questions.



Sign up for future Oscar webinars (see next slide for details).



Update your member contact info in Oscar's broker portal (e.g., address, email).



Pay attention to your email for upcoming content & breaking news

Upcoming Oscar Education Events

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Thank you!