

Navigating Change: ACA Regulatory Overview

Government Affairs & Sales

July 17, 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 Materials
- 02 ACA Regulatory Update
- 03 Broker Portal Enhancements & Live Demo

Oscar's Education & Training Materials

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

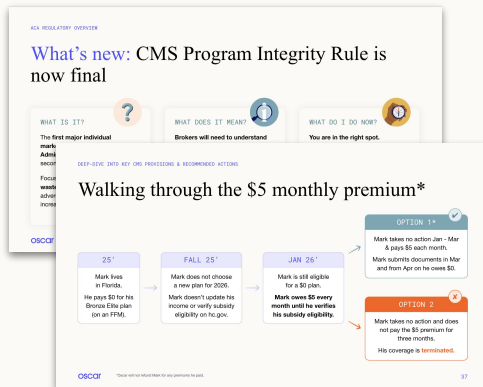
Oscar's latest education and training materials

Oscar's Essential Guide



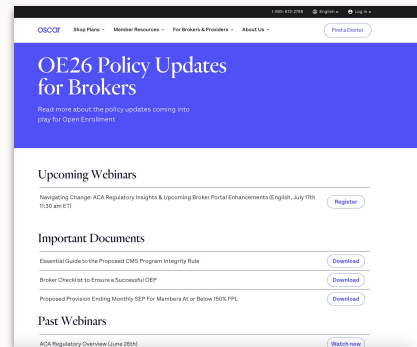
The [Guide](#) breaks down complexities of the final rule into clear, actionable insights for you and your members

Webinar Trainings



See our 6/26 [English](#) and [Spanish](#) webinars for the latest regulatory updates and final rule changes

Broker Resource Hub



View all webinars and education material in our Resource Hub at hioscar.com/oe26-policy-updates

Leveraging your Essential Guide for OEP26

The [Essential Guide](#) is your go-to roadmap for OEP26, breaking down the complexities of the rule into clear, actionable insights

Key Provisions Brokers Should Know

Delaying shortened OEP until OEP 2027

Oscar has been actively engaged in shaping provisions in the final rule, including our strong advocacy against the proposed shortened Open Enrollment Period (OEP). Thanks to these efforts, and those of other stakeholders, CMS decided to delay the shortening of OEP by marketplace for OEP 2026 and OEP 2027 and beyond.

Marketplace	OEP 2026	OEP 2027+
FFM	Nov 1, 2025 to Jan 15, 2026	Nov 1 - Dec 15 (for 15 effective dates)
SBE	Will vary by SBE. We recommend brokers confirm the OEP with their state Exchange.	SBEs may opt for an OEP that starts no later than November 1 and ends no later than December 31, not exceeding 8 calendar weeks (for 15 effective dates).

In preparation for OEP 2026, the following table details what brokers should know about key provisions in the final rule.

Provision	What You Should Know	What Brokers Should Consider
Provisions to Consider for OEP 2026		
Pause the monthly SEP for members with incomes at or below 150% FPL.	<p><150% FPL members will lose the ability to change carriers and plans monthly outside of OEP, and must enroll during OEP to gain or maintain coverage. 150% FPL members that meet standards for other qualifying life events would still be eligible for other SEPs.</p> <p>This SEP was temporarily ended, beginning August 26th through the end of December 31, 2026.</p> <p><150% FPL members need to be prepared to enroll at the start of November, as they will not be able to rely on the monthly SEP in FY 2026 if they do not enroll during OEP.</p> <p>Long-term OEP for other qualifying SEPs will be the only option for the <150% FPL population to receive APPLIC moving forward. Due to the budget reconciliation bill recently signed into law, the <150% FPL SEP will return beginning January 1, 2027, allowing individuals to enroll in this SEP, as they will not be eligible for APPLIC.</p>	Communicate this provision to your <150% FPL members, and make sure they are ready to enroll in an ACA plan by the start of OEP.

Legal Disclaimer: The following document contains proposed regulatory rules that are subject to change. It is not intended as, nor does it constitute legal advice. The information provided, whether in writing, or in verbal communication, should not be considered a substitute for seeking advice from your own qualified legal counsel. This information is not intended to be relied upon to make a legal decision.

Clear explanations
of important provisions and
broker considerations

DMIs

2. Will I be notified if one of my members has a Data Matching Issue (DMI)?

- a. Yes, You will be notified of a DMI via email or through the broker portal on the Exchange website (e.g., [Healthcare.gov](#) or [EDGE](#)). Oscar does not get this information and cannot assist you, however.
- b. Details explaining what caused the DMI will vary, depending on which platform is used to enroll the member. Members will receive notifications directly, which may also prompt them to contact their broker.
- c. Explore this link to see different eligibility determination notices from CMS.

3. Is there a way to proactively check for potential DMIs before they enroll?

- a. While there is no CMS system to check for DMIs before members enroll, brokers can be proactive. Brokers can discuss prospective income rules with members and collect all necessary documentation ahead of time.

4. What documentation is required for members to verify their prospective income in the case of a DMI?

- a. Please refer to this CMS Guide to Confirming Your Income Information, as well as this CMS link here for a list of potential income verification documents.

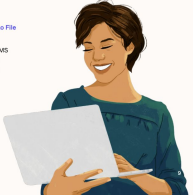
5. What documentation is required for members to verify their citizenship or immigration status in the case of a DMI?

- a. Example documents to confirm your citizenship can be found through this CMS link here.
- b. Example documents to confirm your immigration status can be found through this CMS link here.

FTR

6. What steps can a member take to rectify their Failure to File and Reconcile (FTR) status?

- a. Prior to OEP, members will be sent notices from CMS indicating their FTR status. The notice will provide directions to complete the required reconciliation by filing tax returns for missing years and filing and IRS Form 9962.



Answers to FAQs
we've commonly received
from brokers

ACA Regulatory Update: Final CMS Program Integrity Rule

What's new: CMS Program Integrity Rule is now final

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 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.

What to know for OEP 2026

Provision	What to Know for OEP 2026
Delaying the shortening of OEP until OEP 2027 (Oscar's top ask)	<ul style="list-style-type: none"> • FFMs: OEP 2026 will run from Nov 1 to Jan 15 • SBEs: Will vary by SBE. We recommend brokers confirm the OEP with their state Exchange.
Pausing SEP for 150% FPL members	<ul style="list-style-type: none"> • ≤150% FPL members can no longer change carriers and plans monthly, starting August 25th, and through PY 2026
\$0 members who auto-renew and fail to verify eligibility will be subject to a \$5/month premium	<ul style="list-style-type: none"> • Only applies to FFMs, will be in effect for OEP 2026
Changing income eligibility checks (DMIs)	<ul style="list-style-type: none"> • Will be in effect for OEP 2026
Reverting FTR process to 1 year	<ul style="list-style-type: none"> • Will be in effect for OEP 2026
Excluding DACA recipients from enrolling in coverage, with or without APTC	<ul style="list-style-type: none"> • Effective starting August 25th

Be proactive: Leverage our broker checklists

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.

ACA Legislative Update: Budget Reconciliation Bill

Snapshot of ACA Enrollment Provisions in the Reconciliation Bill

KEY PROVISIONS	EFFECTIVE DATES
Ends tax credit eligibility for members enrolling in the <150% FPL SEP → Effectively ends this SEP; this population remains eligible for tax credits if enrolling through other SEPs or OEP	1/1/26
Eliminates current limits on the federal government's ability to recoup overpaid tax credits → Requires that all premium tax credit recipients repay the full amount of any excess, no matter their income	1/1/26 *Tax filings in April, 15 2027
Prohibits passive enrollments, requires verification annually for tax credits → Pre-enroll can start as soon as August 1 ahead of an OE	Tax Year 2028
Makes key changes for APTC eligibility for different legal categories of immigrants	1/1/27

ACA Legislative Update: Potential Expiration of Enhanced Tax Credits

Enhanced Tax Credits make ACA Plans Significantly More Affordable

- The American Rescue Plan Act (ARPA) expanded eligibility for APTC beyond that of the original ACA for Plan Years 2021 and 2022. The **Inflation Reduction Act (IRA)** extended this expanded eligibility for Plan Years 2023 through 2025.
- The enhanced ACA tax credits schedule increases tax credits across the board:
 - It extends them for the first time to people with incomes over 400% of the federal poverty level (FPL) by **capping premium contributions at 8.5% of income** - ending the previous “subsidy cliff” after 400% FPL.
 - It also guarantees **access to a plan with a zero dollar premium payment for people with incomes between 100-150% of poverty.**
- The tax credits are currently slated to expire **December 31, 2025, unless Congress takes action.**

Where we stand today: Options to renew enhanced tax credits

CONGRESSIONAL VEHICLES TO RENEW¹

JULY

AUG

SEP

OCT

NOV

DEC

One Big Beautiful Bill (Reconciliation Bill)

Signed into law,
renewal was
NOT included

Continuing resolution

Government must pass a funding bill by 9/30/25 to continue to fund the government (and avoid a shutdown). ePTC could be included among other health policies that need to be extended.

Another “must-pass” bill²

ePTC renewal could also be achieved in another bill. The best likelihood would be another package that is deemed a “must pass” for spending or policy priorities to increase the chances of inclusion.

Comparison of ACA vs. ARPA Enhanced Subsidies

Table 1: Percent of Income Paid for Marketplace Benchmark Silver Premium, by Income

INCOME (% of poverty)	AFFORDABLE CARE ACT (before legislative change)	ARPA (current law 2021-2025)
Under 100%	Not eligible for subsidies*	Not eligible for subsidies**
100% – 138%	2.07%	0.0%
138% – 150%	3.10% – 4.14%	0.0%
150% – 200%	4.14% – 6.52%	0.0% – 2.0%
200% – 250%	6.52% – 8.33%	2.0% – 4.0%
250% – 300%	8.33% – 9.83%	4.0% – 6.0%
300% – 400%	9.83%	6.0% – 8.5%
Over 400%	Not eligible for subsidies	8.5%

NOTES: *Lawfully present immigrants whose household incomes are below 100% FPL and are not otherwise eligible for Medicaid are eligible for tax subsidies through the Marketplace if they meet all other eligibility requirements.

**In the ARPA, lawfully present immigrants in states that have not expanded Medicaid would continue to be eligible for marketplace subsidies. In addition, people receiving Unemployment Insurance (UI) are treated as though their income is no more than 133% of poverty for the purposes of the premium tax credit. This could extend premium tax credits to some individuals with incomes below poverty.

Comparison of ACA vs. ARPA Enhanced Subsidies

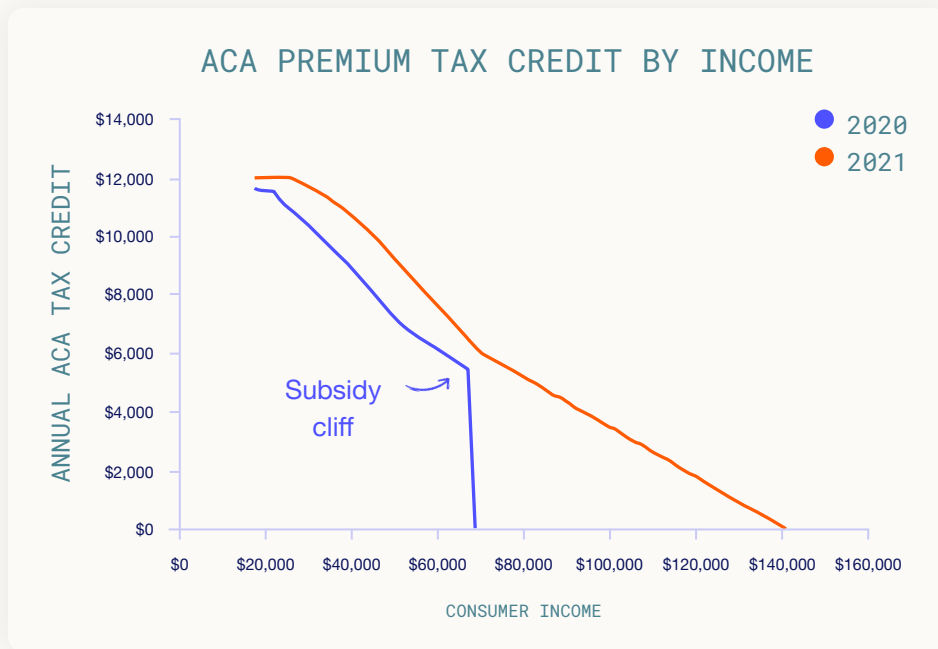
2020 (Pre-ARPA) tax credit schedule

focuses more on ensuring affordability for low income consumers.

It creates a subsidy cliff, where if a consumer makes above 400% FPL, they receive \$0 in subsidies.

2021 (ARPA) tax credit schedule improves affordability for consumers across the board, including increasing generosity for the lowest income.

Ends the subsidy cliff to provide working Americans with a premium that is affordable relative to their income.



**90%
increase**

in average Net
Premiums per enrollee
receiving enhanced tax
credits (\$100 per enrollee
per month or \$1,200
annually)

4-5M

Nationally projected
to become uninsured

7M

Fewer enrollees
by 2027

+5.9%

Average morbidity
of population

**Premiums will rise
disproportionately**

Republican state and rural
constituents will see higher
premiums and potentially
increased uninsured rates



Find out the impact on your book of business

Leverage the *Keep Americans Covered* Tax Credit Comparison Calculator to compare premium tax credits for specific incomes and household sizes by:

Zip code

Congressional district

State average

Visit the calculator and map:
calculator.americanscovered.org



Example is for zip code 33186, ~200% FPL, 35 year old

Broker Portal Enhancements & Live Demo

Enhancements to Oscar's Broker Portal

ENHANCEMENT	DESCRIPTION	TIMING
Resource Hub	<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



Demo of new broker portal features

[Click here to view the demo!](#)



Next Steps

Next steps: What brokers can do now

ACTION ITEMS



Review the [Essential Guide](#) and [Oscar's Resource Hub](#)



Pay attention to your email for upcoming deep-dives, webinars, and breaking news



Reach out to your members prior to OEP and start the conversation early



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

Thank you!