

COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

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BULLETIN 2024-04

To: Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc., and Health Maintenance Organizations

From: Gary D. Anderson, Commissioner of Insurance 

Date: January 31, 2024

Re: Special Open Enrollment Period in 2024 Related to MassHealth Redeterminations

The Massachusetts Division of Insurance (the “Division”) issues this Bulletin 2024-04 to Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc., and Health Maintenance Organizations (“Carriers”). This Bulletin is effective for eligible individuals that meet the conditions identified in Bulletin 2024-04 for coverage issued or renewed according to M.G.L. c. 176J. The Division has collaborated with the Commonwealth Health Insurance Connector Authority (the “Connector”) in developing the special enrollment period requirements within this Bulletin.

The Division issued Bulletin 2023-09 on February 3, 2023, to designate certain temporary triggering events for special enrollment periods and to extend to November 23, 2023 the length of all special enrollment periods granted as a result of identified triggering events. A purpose of the special enrollment period was to minimize the risk of harm to individuals who would be redetermined ineligible for MassHealth coverage due to the ending of the Medicaid Maintenance of Effort (“MOE”) protections with the enactment of H.R. 2617, the Consolidated Appropriations Act, 2023, enacted as Public Law 117-328. The protection was for those who might seek individual health coverage in Massachusetts’ insurance market.

Those persons who would be redetermined as ineligible for MassHealth coverage were identified as a population who may be vulnerable during the transition off MassHealth coverage. The process of redetermining MassHealth members has continued into calendar year 2024, and concerns about individuals transitioning out of MassHealth and into other coverage also have continued into 2024.

Therefore, in the interest of facilitating a smooth transition back to commercial health insurance, the Division and the Health Connector have designated a temporary triggering event for (1) any individuals who lose MassHealth during calendar year 2024; and (2) any individuals who lost MassHealth on or after April 1, 2023 and who have since been determined eligible for an M.G.L. c. 176J health plan, but who remain unenrolled in a health plan. The special enrollment period for these individuals is extended to November 23, 2024, for coverage becoming effective in 2024.

Carriers are to take all necessary steps to facilitate the implementation of special open enrollment rights as noted through November 23, 2024. If you have any questions about this Bulletin, please contact Kevin Beagan, Deputy Commissioner, Health Care Access Bureau, at (617) 521-7323, or at Kevin.beagan@mass.gov.