



COMMONWEALTH OF MASSACHUSETTS

Office of Consumer Affairs and Business Regulation

DIVISION OF INSURANCE

One Federal Street, Suite 700 • Boston, MA 02110

(617) 521-7794 • (877) 563-4467 • www.mass.gov/doi

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

ERIC PALEY
SECRETARY

LAYLA R. D'EMILIA
UNDERSECRETARY

MICHAEL T. CALJOUW
COMMISSIONER

HEALTH COVERAGE Filing Guidance Notice 2026-G

TO: Health Insurance Carriers Submitting Rate Filings Subject to M.G.L. c. 176J

FROM: Kevin Beagan, Deputy Commissioner, Health Care Access Bureau

DATE: May 4, 2026

RE: Rate and Form Filings for Calendar Year 2027
Segregation of Funds for Abortion Services

The Massachusetts Division of Insurance (“Division”) distributes Filing Guidance Notice 2026-G as a supplement to Filing Guidance Notice 2026-B regarding the need for insurance carriers (“Carriers”) to include with their Calendar Year 2027 (“CY2027”) rate filings for the Massachusetts merged market governed by M.G.L. c. 176J additional materials regarding their compliance with federal rules relative to the segregation of funds for abortion services. This Filing Guidance Notice establishes rules that the Division finds necessary and appropriate to enable timely submission and review of merged market rate filings for the CY2027 rating period.

Segregation of Funds for Abortion Services

Section 1303 of the Patient Protection and Affordable Care Act, (“ACA”) requires an issuer offering a Qualified Health Plan (“QHP”) on an Exchange offering coverage for certain non-excepted abortion services as defined in the ACA, to segregate the funds associated with that coverage. Issuers must separate premium payments for the non-excepted abortion coverage from payments for other coverage under the plan, deposit the separate payments into separate allocation accounts, and limit payments for non-excepted abortion services to the funds in those separate allocation accounts. The federal regulation implementing this provision of the ACA (45 CFR §156.280) provides that each QHP that participates in an Exchange and offers coverage for the non-excepted abortion services should, as a condition of participating in an Exchange, submit a plan to the State Insurance Commissioner that details its process and methodology for complying with the fund segregation requirements (“segregation plan”). For additional information about federal fund segregation requirements please refer to 45 CFR §156.280(5)(ii).

In addition to the segregation plan, each QHP issuer participating in an Exchange must provide the State Insurance Commissioner with an annual assurance statement attesting that the plan has complied

with section 1303 of the Affordable Care Act and applicable regulations.

Filing Requirement

Carriers seeking to offer QHPs on the Commonwealth Health Insurance Connector, if they have not previously done so, must submit with their CY2027 Rate Filing, a segregation plan that details their process and methodology for complying with the fund segregation requirements as provided in the federal regulation. The segregation plan must be accompanied by an assurance statement attesting that the segregation plan complies with section 1303 of the ACA and 45 C.F.R. § 156.280. The processes and methodologies detailed in Carriers' segregation plans may be subject to verification by the Division. If a Carrier has previously filed its segregation plan with the Division it need not do so again unless changes have been made. Assurance statements should be submitted on an annual basis with a Carrier's Rate Filing.

In addition to what is expected to be in a rate filing, Carriers are expected to submit their segregation plans (if applicable) and assurance statements to the SERFF Plan Binder by no later than May 15, 2026.

If you have any questions about this Filing Guidance Notice 2026-G, please contact Kevin Beagan (kevin.beagan@mass.gov)