



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

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**BULLETIN 2017-05**

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

From: Gary D. Anderson, Acting Commissioner of Insurance

Date: September 12, 2017

Re: Guidance Regarding Open Enrollment Period for Benefit Year 2018

The Massachusetts Division of Insurance (the "Division") is issuing this Bulletin 2017-05: Guidance Regarding Open Enrollment Period for Benefit Year 2018 ("Bulletin") to provide guidance in connection with the 2018 open enrollment period. The Division has collaborated with the Commonwealth Health Insurance Connector Authority (the "Connector") in developing this Bulletin, which supplements Bulletin 2014-11: Open Enrollment for Insured Health Benefit Plans.

For the 2018 benefit year and beyond, the U.S. Department of Health and Human Services ("HHS") has established that the annual exchange open enrollment period would commence on November 1<sup>st</sup> and extend through December 15<sup>th</sup> of the calendar year preceding the benefit year. See 45 C.F.R. § 155.410. However, HHS also permits states with their own state-based exchanges to implement a Special Enrollment Period ("SEP") to extend open enrollment under existing authority. The Connector has informed the Division that the Connector has established a SEP for 2018 open enrollment so that the Massachusetts open enrollment period for eligible individuals will begin on November 1, 2017 and extend to January 23, 2018.

M.G.L. c. 176J, § 4(a)(3) provides that the "open enrollment period shall be from October 15 to December 7, inclusive, unless otherwise designated by the Commissioner." In order that the dates of the open enrollment period both on and off the Connector are the same, the 2018 benefit-year open enrollment period for the commercial non-group market will also run from November 1, 2017 through January 23, 2018. For persons enrolling through the Connector, the January 23<sup>rd</sup> open enrollment closing date aligns with the Connector's plan selection and due dates for payment on the 23<sup>rd</sup> of the month and will allow consumers some additional time to enroll in or switch health plans.

If you have any questions about this Bulletin, please contact Tracey McMillan, Director of Bureau Managed Care at 617-521-7347 or [Tracey.T.McMillan@massmail.state.us](mailto:Tracey.T.McMillan@massmail.state.us).