

<p>GRANDFATHER RULE IN INSURANCE MARKET REFORM PROVISIONS</p> <p>OF HEALTH CARE REFORM LEGISLATION (PPACA)</p>
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- Individual & Group Health Plans (§ 1251(a)(2)) - Subtitles A & C do not apply to an individual or group health plan (insured or self-funded) in which an individual was enrolled on the date of enactment.
 - Family members will be permitted to enroll after the date of enactment if such enrollment otherwise is permitted under the terms of the plan.
 - "New" employees and their families also may be enrolled after date of enactment.
 - No restrictions on whether plan can make a "change" (bill is silent).

- Collectively Bargained Plans (§ 1251(d)) - Subtitles A & C do not apply to health insurance coverage maintained pursuant to a CBA that was ratified before date of enactment until the date on which the last of the CBAs relating to coverage terminates.
 - Appears that plan may allow family members and new employees to enroll (but somewhat unclear).
 - Any plan amendment made solely to conform with this bill not to be treated as a termination of the CBA.

<p>Subtitle A</p> <p>(Grandfathered, except where noted)</p>	
§ 2711	<p>Annual & Lifetime Limits</p> <p><i>Reconciliation –</i></p> <p><i>For individual coverage, lifetime limits not grandfathered.</i></p> <p><i>For group coverage, annual and lifetime limits not grandfathered (but Secretary may allow "restricted" annual limits prior to 1/1/14).</i></p>
§ 2712	<p>Rescissions</p> <p><i>Reconciliation – Not grandfathered.</i></p>
§ 2713	<p>Preventive Health</p>
§ 2714	<p>Dependent Coverage to Age 26</p> <p><i>Reconciliation – Not grandfathered (but for groups before 1/1/14, not applicable if dependent eligible to enroll in other employer-sponsored coverage).</i></p>

Subtitle A (Grandfathered, except where noted)	
§ 2715	Summary Documents / Standardization of Definitions <i>Not grandfathered.</i>
§ 2715A	Additional Information
§ 2716	Nondiscrimination Based on Income
§ 2717	Quality of Care / Provider Reimbursement Structure Reporting
§ 2718	Minimum Loss Ratio (MLR) Reporting & Rebate <i>Not grandfathered.</i>
§ 2719	Appeals & External Review
§ 2719A	Choice of Providers / Emergency Services
§ 2793	Health Insurance Consumer Assistance / Ombudsman
§ 2794	Premium Review Process

Subtitle B (Not Grandfathered)	
§ 1101	Temporary State High Risk Pool
§ 1102	Early Retiree Reinsurance
§ 1103	Website with Affordable Coverage Information
§ 1104	Administrative Simplification

Subtitle C (Grandfathered, except where noted)	
§ 2701	Rating Limitations
§ 2702	Guaranteed Access
§ 2703	Guaranteed Renewability

Subtitle C (Grandfathered, except where noted)	
§ 2704	No Pre-Existing Condition Exclusions <i>Reconciliation – Not grandfathered.</i>
§ 2705	Nondiscrimination Based on Health
§ 2706	Nondiscrimination related to Providers
§ 2707	Comprehensive Benefits (Essential Benefits & Cost Sharing)
§ 2708	Waiting Period <i>Reconciliation – Not grandfathered.</i>
§ 2709	Clinical Trials
§ 1251	Grandfathered Plans
§ 1252	Uniform Rating Reforms
§ 1253	Annual Report on Self-Funded Plans
§ 1254	Study of Large Group Market

*****Other provisions that do not appear in Subtitles A & C (and are thus, not grandfathered) include employer mandate provisions and revenue provisions (e.g., "Cadillac" plan tax, FSA limitations, Medicare Part D changes).***

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