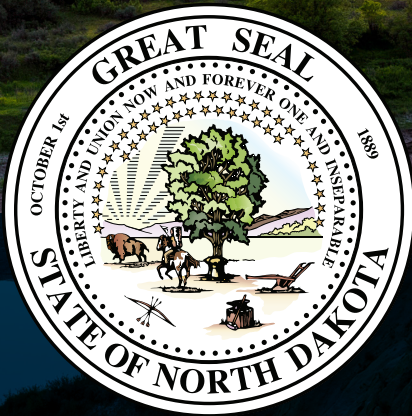




NORTH DAKOTA
Insurance Department



State of
NORTH DAKOTA

Section 1332 State Innovation Waiver
Five-Year Extension Application, 2025-2029

Jon Godfread, Commissioner

Insurance.ND.gov

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Section 1: Overview

Extension Request

Jon Godfread, North Dakota Insurance Commissioner, on behalf of the State of North Dakota (the State), submits this extension request to the Centers for Medicare and Medicaid Services (CMS), a division of the United States Department of Health and Human Services (HHS), and to the United States Department of the Treasury (Treasury). North Dakota's currently approved waiver of the Affordable Care Act (ACA) requirement for the single risk pool contained in ACA section 1312(c)(1) allows the state to operate a state-based reinsurance program for the individual health insurance market from January 1, 2020, through December 31, 2024. North Dakota seeks a waiver from ACA section 1312(c)(1) for an additional period of five years from January 1, 2025, through December 31, 2029, to support the continued operation of its individual market state-based reinsurance program. The only change to North Dakota's existing 1332 waiver will be the extended timeframe and North Dakota's 1332 waiver will not seek to waive any other sections of the ACA. The waiver extension will continue to abide by the Specific Terms and Conditions set forth by CMS, adhere to the guardrails established by Section 1332, as well as the principles laid out in guidance from CMS, and will not affect other provisions of the ACA.

Background of the Reinsurance Program

House Bill 1106 was passed and signed by the governor on April 19, 2019, and authorized the State's initial Section 1332 waiver application. The establishment of a state-based reinsurance program and the securement of a funding source for that reinsurance program was established in the Reinsurance Association of North Dakota (RAND) under NDCC §26.1-36.7, which was approved by CMS on July 31, 2019, for the current Section 1332 waiver.

To implement the provisions of NDCC §26.1-36.7, the Insurance Commissioner and the board of directors of the RAND have done the following:

1. Provided reinsurance to issuers that offer health benefit plans in the State.
2. Established procedures for the handling and accounting of program assets and monies, as well as for annual fiscal reporting to the RAND board and Insurance Commissioner.
3. Established annual procedures and parameters for reinsuring risks, including the attachment point.
4. Established procedures and standards for issuers to submit claims to be reinsured under the program.
5. Established procedures for quarterly reporting or annual reporting, or both, of data under the Section 1332 waiver to demonstrate that the waiver remains in compliance with the scope of coverage, affordability, comprehensiveness, and deficit requirements.
6. Established procedures for providing each year the actual SLCSF premium under the ACA's [42 U.S.C. §18001 et seq.] Section 1332 waiver and an estimate of the premium as it would have been without the waiver.

7. Provided for additional matters necessary for the implementation and administration of the reinsurance program.

Reinsurance Funding

Under its 1332 Waiver, North Dakota implemented a reinsurance mechanism that would be similar to traditional reinsurance and the temporary ACA Transitional Reinsurance program that operated between 2014 and 2016. The reinsurance was estimated to reduce premiums by approximately 20% in 2020 compared to the baseline premium (without the waiver), depending on the attachment point chosen. Due to the reduced premium the membership in the 2020 individual market, it was estimated that it would increase 1% compared to the baseline without the waiver.

The reinsurance mechanism is what has been referred to as “invisible” reinsurance. The approach of “invisible” reinsurance allows enrollees to remain in the individual market with their current plan and carrier, but a portion of their claims are reimbursed by the reinsurance pool. The enrollee is not aware that their claim is being paid via the reinsurance pool meaning there is no effect on the enrollee as the task of ceding claims to the reinsurance pool is completed on the back end of the process and is without consequence to the enrollee.

The reinsurance program would cover 75% of paid claims between the attachment point and \$1,000,000, with the attachment point at \$100,000. A portion of the funding for reinsurance has come from the federal government due to the reduction in advanced premium tax credits (APTC) being passed to North Dakota. The reduction in premiums for the SLCSP in each region directly reduces the APTC for the individuals eligible for APTCs.

The additional funding required by the reinsurance program comes from assessments against the carriers writing group health insurance in North Dakota. Current projections show APTC pass-through dollars from 2025-2029 to be 26.1 million to 33.9 million and state funding to be 19.8 million to 30.9 million.

Timeline

North Dakota will seek to achieve the following timeline in order to continue the reinsurance program for 2025.

Date	Description
7/26/2024	State Public Comment Period began
8/27/2024	Public hearing held
1/1/2025	North Dakota’s reinsurance program under a Section 1332 waiver continues operation under the extension, compliant with both state and federal law and regulations

Section 2: Evidence of Sufficient Authority Under State Law

Evidence of sufficient authority under state law(s) in order to meet the ACA section 1332(b)(2)(A) requirement for purposes of pursuing the requested extension.

As discussed earlier, House Bill 1106 was passed on April 19, 2019, creating NDCC §26.1-36.7, and authorizing the State's Section 1332 waiver application. The establishment of a state-based reinsurance program and the securement of a funding source for that reinsurance program was established in the RAND.

To implement the provisions of NDCC §26.1-36.7, the Insurance Commissioner and the board of directors of the RAND have done the following:

1. Provided reinsurance to issuers that offer health benefit plans in the State.
2. Established procedures for the handling and accounting of program assets and monies, as well as for annual fiscal reporting to the RAND board and Insurance Commissioner.
3. Established annual procedures and parameters for reinsuring risks, including the attachment point.
4. Established procedures and standards for issuers to submit claims to be reinsured under the program.
5. Established procedures for quarterly reporting or annual reporting, or both, of data under the Section 1332 waiver to demonstrate that the waiver remains in compliance with the scope of coverage, affordability, comprehensiveness, and deficit requirements.
6. Established procedures for providing each year the actual SLCSP premium under the ACA's [42 U.S.C. §18001 et seq.] Section 1332 waiver and an estimate of the premium as it would have been without the waiver.
7. Provided for any additional matters necessary for the implementation and administration of the reinsurance program.

Section 3: Stakeholder Engagement and Tribal Consultation

An explanation and evidence of the process to ensure meaningful public input on the extension request, which must include:

- a. *For a state with one or more Federally recognized Indian tribes within its borders, providing a separate process for meaningful consultation with such tribes, and providing written evidence of the state's compliance with this requirement.*
- b. *Publicly posting the submitted letter of intent on the state's website to ensure that the public is aware that the state is contemplating a waiver extension request.*
- c. *Publicly posting the waiver extension application on the state's website upon its submission of the waiver extension application to the Departments.*

Public Input

On July 26th, 2024, the NDID commenced public comment on this waiver extension request. The NDID posted notice of the opportunity to comment on its webpage at [Tools & Legal | North Dakota Insurance Department \(nd.gov\)](#). A notice of hearing and comment period was sent via NDID's mass email system, GovDelivery. The notification was emailed to 1,117 recipients. The email included a link to the NDID website with information about the public comment period and public hearing.

On August 27, 2024, a public meeting was held via Microsoft Teams. This meeting was included in the above notice for public comment along with posting to the North Dakota Secretary of State's Public Meeting Notices website at [North Dakota Public Meeting Notices System: State of North Dakota \(nd.gov\)](#).

No one attended the public meeting in person; only Michelle Thompson with The Three Affiliated Tribes – MHA Nation attended virtually.

No comments were received, either electronically or during the public meeting, throughout the public comment period.

The Department posted the submitted letter of intent and a copy of the waiver extension application to the RAND webpage of the Department's website at [Reinsurance Association of North Dakota | North Dakota Insurance Department \(nd.gov\)](#).

Tribal Consultation

There are five federally recognized tribes in North Dakota. The Department sent separate letters to the North Dakota Indian Affairs Commission and the tribal chairperson for each of the five federally recognized tribes, notifying them of the waiver extension and public hearing scheduled on August 27, 2024. See Appendix B for a copy of each letter.

Section 4: Updated Economic or Actuarial Analysis for Extension Period

See Appendix A.

Section 5: Conclusion

The North Dakota Waiver extension would continue to reduce premiums and provide a low-cost alternative to healthier individuals. This would result in stability in the individual market, protect carriers from unpredictable high-cost claims, and make the claims costs more predictable. This would result in carriers being more willing to participate in the North Dakota individual insurance market.

The reinsurance would be funded by a combination of federal reductions in APTCs and assessments. The assessments would be against the group health insurance market; since the group-insured market is much larger than the individual market, the assessment needed to stabilize the individual market would be spread over a much larger base.

In addition to the Waiver, the lower premium charged to healthy individuals under the North Dakota Plan will provide an alternative when rate increases result in individuals and families dropping coverage. We expect this will lead to a more stable market.

Appendix A: 1332 Waiver 2025-2029 Actuarial Analysis

Disclaimer

This document was created to supply CMS with past values of North Dakota’s 1332 waiver, and estimated values for 2025-2029 to demonstrate compliance with the guardrails. Actual values may be different from estimated for multiple reasons; including but not limited to: shift in demographics, income, and plan choice. It is not intended for any other purpose.

Analysis and Experience on Current 1332 Reinsurance Waiver

YEAR	2020	2021	2022	2023
PASS-THROUGH DOLLARS	\$ 21,488,350	\$ 20,481,805	\$ 18,960,784	\$ *12,375,057
STATE FUNDING	\$ 821,565	\$ 6,805,658	\$ 12,245,331	\$ *32,482,707
TOTAL PREMIUM WITH THE WAIVER	\$ 209,812,533	\$ 240,944,667	\$ 287,611,626	\$ 300,718,813
TOTAL ASSUMED PREMIUM WITHOUT THE WAIVER	\$ 251,775,040	\$ 263,065,375	\$ 322,790,574	\$ 332,217,065
ENROLLMENT	43,033	48,798	54,911	58,686
ENROLLMENT WITHOUT THE WAIVER	43,033	48,798	54,911	58,686

*This value is subject to change based on a review done by the Treasury Department.

The table above provides actual experience in North Dakota and assumed premium if the 1332 waiver was not in place. Note that the largest difference between the actual and assumed premium was in the year 2020. This is due to the original report showing a 20% differential in premium with the waiver.

Growth in the individual insurance market has the following contributing factors: discontinuance of North Dakota’s last individual grandfathered health plan, discontinuance of North Dakota’s transitional plans, CHAND membership (North Dakota’s high-risk pool plan) moving to an individual marketplace product, and Medicaid unwinding.

Past compliance with the 1332 guardrails

- **Comprehensiveness of coverage:** North Dakota’s 1332 waiver does not adjust benefits or coverage amounts for North Dakota policyholders, rather, it provides North Dakota insurance carriers reinsurance for high-cost claims. Coverage remains comprehensive for North Dakota policyholders as it continues to cover federally required essential health benefits.
- **Affordability:** Although the original projections in 2019 showed a significantly higher premium reduction, consumers in North Dakota, on average, saved almost 11% in premiums from 2021-2023. This resulted in a total of 88.8 million dollars in aggregate premiums saved by North Dakota policyholders. The waiver does not affect required

federal caps on cost sharing, so policyholders were unaffected by total out-of-pocket costs.

- **Scope of Coverage:** North Dakota did see an increase in enrollment from 2020-2023, which means more consumers benefited from the reduction in premiums due to the 1332 waiver program. Enrollment is comparable, with or without the waiver.
- **Deficit Neutrality:** Pass through funding dollars determined via APTC reduction. CMS directly calculates this cost savings each year along with any offsets they deem necessary. The remaining costs were funding via assessments to large group and small group carriers in North Dakota. The program was deficit-neutral.

Pass-Through Dollars and State Funding

Estimated 1332 Waiver Values					
Year	2025	2026	2027	2028	2029
Estimated Claims	\$353,008,220	\$375,213,540	\$401,478,488	\$429,581,982	\$459,652,721
Estimated RAND Reimbursement	\$47,800,937	\$51,757,443	\$56,415,613	\$61,493,018	\$67,027,390
Estimated Reduction to Premium	13.54%	13.79%	14.05%	14.31%	14.58%
Estimated Reduction in Exchange User Fees	\$551,037	\$586,946	\$639,772	\$697,351	\$760,113
Estimated Pass Through Dollars	\$28,437,285.03	\$27,541,522.01	\$30,020,259.00	\$32,722,082.31	\$35,667,069.71
Estimated State Funding	\$19,363,651.84	\$24,215,920.97	\$26,395,353.86	\$28,770,935.71	\$31,360,319.92

The table above provides the following information for 2025-2029:

- **Estimated Claims:** Total paid claims for all individual carriers in North Dakota.
- **Estimated RAND Reimbursements:** amount expected to be recovered by carriers as a result of the 1332 reinsurance program.
 - Estimates assume the current program remains in effect. The 1332 reinsurance waiver covers 75% of claims above an attachment point of 100,000.
- **Estimated Reduction in Premium:** if the 1332 waiver application was not in place, premiums in North Dakota, on average, would increase by this percentage.
- **Estimated Reduction in Exchange User Fees:** Exchange user fees are a percent of the premium. Given that this program would reduce premiums collected, exchange user fees would also be less. This reflects the amount not received by the federal government as a result. The exchange user fee used is 1.5% (the amount for 2025) and remains stable through the projections.
- **Estimated Pass-Through Dollars:** amount the NDID expects to collect from the federal government due to the 1332 reinsurance program. This is also the amount saved in advanced premium tax credits due to the reduction in premium by the 1332 waiver reduced by the reduction in exchange user fees.

- **Estimated State Funding:** the amount North Dakota would need to contribute to fund the 1332 reinsurance program. This is funded via assessments of North Dakota small-group and large-group insurance carriers. Carriers who are assessed are eligible to take a premium tax credit.

The “Estimated 1332 Waiver Values” table includes an adjustment for 2026-2029 if the subsidies from the American Rescue Act are not extended. (This program is set to expire in 2025.) Any other change to federal policy or law that can be reasonably assumed will not have a material effect on these estimates. These amounts also include the estimated effects of Medicaid unwinding.

The effects of the enhanced subsidies not being extended were estimated using data compiled by the Kaiser Family Foundation: [Inflation Reduction Act Health Insurance Subsidies: What is Their Impact and What Would Happen if They Expire? | KFF](#)

North Dakota is considering changes to the current law that sets the parameters of the 1332 waiver. However, the North Dakota legislature has the final say in this law. Without knowing the final structure of the law, adjusting these estimates would not be possible, and the estimates show values consistent with the current law. Note that the NDID would ensure the legislature is properly informed on the requirements of the 1332 waiver: coverage, affordability, comprehensiveness, and deficit neutrality.

Effects on the Market Without the 1332 Waiver

Premium Estimates					
Year	2025	2026	2027	2028	2029
Estimated Premium with the Waiver	\$376,802,824	\$396,539,503	\$424,297,269	\$453,998,077	\$485,777,943
Estimated Premium Without the Waiver	\$427,825,794	\$451,238,677	\$483,919,368	\$518,986,166	\$556,614,960
Estimated Average SLCSP With Waiver 21-year-old	\$411.93	\$445.17	\$476.33	\$509.67	\$545.35
Estimated Average SLCSP Without Waiver 21-Year-Old	\$467.71	\$506.58	\$543.27	\$582.63	\$624.88

In any given year, premiums, on average, would increase by as much as the reinsurance reduction to premium. This is shown in the above table, both for the total premium in North Dakota (“Estimated Premium”), and for the 21-year-old average premium for the second lowest cost silver plan (“Estimated Average SLCSP”).

Individual Enrollment in North Dakota

Estimated Enrollment					
Year	2025	2026	2027	2028	2029
Estimated APTC Enrollment With Waiver	34,477	33,443	33,443	33,443	33,443
Estimated APTC Enrollment Without Waiver	34,477	33,443	33,443	33,443	33,443
Estimated On-Exchange Enrollment with Waiver	45,853	44,819	44,819	44,819	44,819
Estimated On-Exchange Enrollment Without Waiver	45,853	44,819	44,819	44,819	44,819
Estimated Off-Exchange Enrollment with Waiver	17,833	17,833	17,833	17,833	17,833
Estimated Off Exchange Enrollment Without Waiver	17,833	17,833	17,833	17,833	17,833
Estimated Enrollment with the Waiver	63,686	62,652	62,652	62,652	62,652
Estimated Enrollment Without the Waiver	63,686	62,652	62,652	62,652	62,652

North Dakota does not assume any change in enrollment, with or without the waiver. Although premiums would increase for consumers if the waiver application is not approved, North Dakota consumers would have to weigh the cost of not having insurance against this increase. NDID would also take steps to reduce the initial impact on premium rates, such as spreading the impact over multiple years.

The values above include an increases in enrollment due to Medicaid unwinding, and a small decrease in enrollment in 2026 if the enhanced subsidies are not extended.

Guardrails for 2025-2029

Comprehensiveness of Coverage: The 1332 reinsurance waiver provides consumers in North Dakota with reduced premiums without adjusting benefits or coverage amounts. North Dakota consumers will continue to receive comprehensive coverage of federally required essential health benefits.

Affordability: The projections show a reduction in premium for 2025 of 13.5%, which increases slightly each year due to a leveraged trend. This is the result of high dollar claims increasing at a higher rate than the rate of total claims. Consumer cost sharing is not affected by this program. Federally required caps will still remain in effect. North Dakota policyholders, as a result, will have lower premiums without any increase to out-of-pocket costs.

Scope of Coverage: Although North Dakota does not expect an adjustment to enrollment with, or without the waiver, the reduction in premium continues to reduce monthly costs for individuals not eligible for advanced premium tax credits in North Dakota. Covered individuals in North Dakota will remain comparable, with or without the waiver.

Deficit Neutrality: The 1332 waiver will continue to not increase costs or expenses for the federal government. The reduction in advanced premium tax credits is passed on to North

Dakota through pass-through dollars less any reduced revenue due to the reduction in exchange user fees. The remaining reinsurance funding will be passed onto small-group and large-group North Dakota insurance carriers via assessments. Carriers may take a premium tax credit to offset the cost.

Actuarial Certification

I, Colton Storseth, am the life and health actuary for the North Dakota Insurance Department. I am a Fellow of the Society of Actuaries, a Member of the American Academy of Actuaries, and am qualified to provide the following certification.

This actuarial certification applies to North Dakota's application for an extension of its waiver of Section 1332 of the Patient Protection and Affordable Care act.

Reliance

The document used data from multiple sources including: specific data requested by North Dakota carriers and carrier URRT's. The data was reviewed for consistency, and it was determined that a full audit was not necessary; however, if any of the data was inaccurate, the results of this analysis will be affected.

Actuarial Certification

In my opinion, the State of North Dakota's proposed Section 1332 Waiver extension application complies with the following requirements:

- **Scope of Coverage Requirement:** The Section 1332 Waiver extension will provide coverage to at least a comparable number of the State's residents as would be covered absent the waiver extension.
- **Affordability Requirement:** The Section 1332 Waiver extension will provide coverage and cost-sharing protections against excessive out-of-pocket spending that results in coverage which is at least as affordable for the State's residents as would be provided absent the waiver extension.
- **Comprehensiveness of Coverage Requirement:** The Section 1332 Waiver extension will provide coverage that is at least as comprehensive for the State's residents as would be provided absent the waiver extension.
- **Deficit Neutrality Requirement:** The Section 1332 Waiver extension will not increase the federal deficit.

This certification conforms to the applicable Actuarial Standard of Practice promulgated by the Actuarial Standards Board.

Signature: 

Date: 9/30/2024

Colton Storseth, FSA, MAAA, PIR

Appendix B: Letters to Tribal Leadership



July 29, 2024

Brad Hawk
Executive Director
North Dakota Indian Affairs Commission
600 E. Boulevard Ave., 1st Floor Judicial Wing, Rm. 117
Bismarck, ND 58505

Dear Director Hawk,

The North Dakota Insurance Department intends to apply for an extension of the existing Section 1332 State Innovation waiver without any substantive changes to the program.

In July 2019, the North Dakota Insurance Department was awarded a Section 1332 Innovation Waiver under the Patient Protection and Affordable Care Act, which created the Reinsurance Association of North Dakota. The waiver has provided an estimated \$73 million in federal funding to support the Reinsurance Association of North Dakota through 2023, which has helped to reduce premium costs and provide stability in North Dakota's individual healthcare insurance market. The waiver took effect on January 1, 2020.

Under the specific terms and conditions of the award, the Department has scheduled a public meeting to collect meaningful public comments on the extension application request. Interested parties may attend the meeting in person or virtually as listed below or submit comments in writing up to 4:00 p.m. CST on August 26th, 2024.

The public meeting will be held on Tuesday, August 27th, 2024, between 10:00 a.m. and 11:00 a.m. in the Sakakawea Room on the ground floor of the North Dakota State Capitol, 600 E Boulevard Ave, Bismarck, ND 58505. To access the meeting virtually please use the link available on the Secretary of State's Public Meeting Notices page, which can be found at intranetapps.nd.gov/sos/ndpmn. For more information on the North Dakota Section 1332 Innovation Waiver, visit insurance.nd.gov/RAND.

The contact for this application is John Arnold, Deputy Commissioner of the North Dakota Insurance Department, jarnold@nd.gov or 701-328-2440.

Thank you for your input on our efforts to strengthen the individual health insurance market in North Dakota.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Godfread".

Jon Godfread
Insurance Commissioner



600 E Boulevard Ave
Bismarck, ND 58505-0500

phone: (701)328-2440 | fax: (701)328-4880
insurance.nd.gov | insurance@nd.gov

Jon Godfread, Commissioner



July 29, 2024

Chairman Jamie Azure
Chairwomen of Turtle Mountain Band of Chippewa
4180 Highway 281
Belcourt, ND 58316

Dear Chairman Azure,

The North Dakota Insurance Department intends to apply for an extension of the existing Section 1332 State Innovation waiver without any substantive changes to the program.

In July 2019, the North Dakota Insurance Department was awarded a Section 1332 Innovation Waiver under the Patient Protection and Affordable Care Act, which created the Reinsurance Association of North Dakota. The waiver has provided an estimated \$73 million in federal funding to support the Reinsurance Association of North Dakota through 2023, which has helped to reduce premium costs and provide stability in North Dakota's individual healthcare insurance market. The waiver took effect on January 1, 2020.

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Sincerely,



Jon Godfread
Insurance Commissioner



600 E Boulevard Ave
Bismarck, ND 58505-0500

phone: (701)328-2440 | fax: (701)328-4880
insurance.nd.gov | insurance@nd.gov

Jon Godfread, Commissioner



July 29, 2024

Chairman J. Garret Renville
Chairman of Sisseton Wahpeton Oyate
P.O. Box 509
Agency Village, SD 57262

Dear Chairman Renville,

The North Dakota Insurance Department intends to apply for an extension of the existing Section 1332 State Innovation waiver without any substantive changes to the program.

In July 2019, the North Dakota Insurance Department was awarded a Section 1332 Innovation Waiver under the Patient Protection and Affordable Care Act, which created the Reinsurance Association of North Dakota. The waiver has provided an estimated \$73 million in federal funding to support the Reinsurance Association of North Dakota through 2023, which has helped to reduce premium costs and provide stability in North Dakota's individual healthcare insurance market. The waiver took effect on January 1, 2020.

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Thank you for your input on our efforts to strengthen the individual health insurance market in North Dakota.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Godfread", is written over the typed name and title.

Jon Godfread
Insurance Commissioner



600 E Boulevard Ave
Bismarck, ND 58505-0500

phone: (701)328-2440 | fax: (701)328-4880
insurance.nd.gov | insurance@nd.gov

Jon Godfread, Commissioner



July 29, 2024

Chairperson Lonna Jackson-Street
Chairperson of Spirit Lake Tribe
P.O. Box 359
Fort Totten, ND 58335

Dear Chairperson Jackson-Street,

The North Dakota Insurance Department intends to apply for an extension of the existing Section 1332 State Innovation waiver without any substantive changes to the program.

In July 2019, the North Dakota Insurance Department was awarded a Section 1332 Innovation Waiver under the Patient Protection and Affordable Care Act, which created the Reinsurance Association of North Dakota. The waiver has provided an estimated \$73 million in federal funding to support the Reinsurance Association of North Dakota through 2023, which has helped to reduce premium costs and provide stability in North Dakota's individual healthcare insurance market. The waiver took effect on January 1, 2020.

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Jon Godfread
Insurance Commissioner



600 E Boulevard Ave
Bismarck, ND 58505-0500

phone: (701)328-2440 | fax: (701)328-4880
insurance.nd.gov | insurance@nd.gov

Jon Godfread, Commissioner



July 29, 2024

Chairwomen Janet Alkire
Chairwomen of Standing Rock Sioux Tribe
1 Standing Rock Ave
Fort Yates, ND 58538

Dear Chairwomen Alkire,

The North Dakota Insurance Department intends to apply for an extension of the existing Section 1332 State Innovation waiver without any substantive changes to the program.

In July 2019, the North Dakota Insurance Department was awarded a Section 1332 Innovation Waiver under the Patient Protection and Affordable Care Act, which created the Reinsurance Association of North Dakota. The waiver has provided an estimated \$73 million in federal funding to support the Reinsurance Association of North Dakota through 2023, which has helped to reduce premium costs and provide stability in North Dakota's individual healthcare insurance market. The waiver took effect on January 1, 2020.

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The contact for this application is John Arnold, Deputy Commissioner of the North Dakota Insurance Department, jarnold@nd.gov or 701-328-2440.

Thank you for your input on our efforts to strengthen the individual health insurance market in North Dakota.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Godfread", is written over a blue circular stamp. The stamp contains the text "Jon Godfread" and "Insurance Commissioner".

Jon Godfread
Insurance Commissioner



600 E Boulevard Ave
Bismarck, ND 58505-0500

phone: (701)328-2440 | fax: (701)328-4880
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Jon Godfread, Commissioner



July 29, 2024

Chairman Mark Fox
Chairman of the Mandan, Hidatsa and Arikara Nation
404 Frontage Road
New Town, ND 58763

Dear Chairman Fox,

The North Dakota Insurance Department intends to apply for an extension of the existing Section 1332 State Innovation waiver without any substantive changes to the program.

In July 2019, the North Dakota Insurance Department was awarded a Section 1332 Innovation Waiver under the Patient Protection and Affordable Care Act, which created the Reinsurance Association of North Dakota. The waiver has provided an estimated \$73 million in federal funding to support the Reinsurance Association of North Dakota through 2023, which has helped to reduce premium costs and provide stability in North Dakota's individual healthcare insurance market. The waiver took effect on January 1, 2020.

Under the specific terms and conditions of the award, the Department has scheduled a public meeting to collect meaningful public comments on the extension application request. Interested parties may attend the meeting in person or virtually as listed below or submit comments in writing up to 4:00 p.m. CST on August 26th, 2024.

The public meeting will be held on Tuesday, August 27th, 2024, between 10:00 a.m. and 11:00 a.m. in the Sakakawea Room on the ground floor of the North Dakota State Capitol, 600 E Boulevard Ave, Bismarck, ND 58505. To access the meeting virtually please use the link available on the Secretary of State's Public Meeting Notices page, which can be found at intranetapps.nd.gov/sos/ndpnmn. For more information on the North Dakota Section 1332 Innovation Waiver, visit insurance.nd.gov/RAND.

The contact for this application is John Arnold, Deputy Commissioner of the North Dakota Insurance Department, jarnold@nd.gov or 701-328-2440.

Thank you for your input on our efforts to strengthen the individual health insurance market in North Dakota.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Godfread".

Jon Godfread
Insurance Commissioner



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Jon Godfread, Commissioner

Appendix C: Public Comment & Hearing Communication


8/23/24, 1:59 PM

Bulletins - GovDelivery

Notice of Hearing & Public Comment Period - Section 1332 State Innovation Waiver

From: North Dakota Insurance Department <insurance@info.nd.gov>
Subject: Notice of Hearing & Public Comment Period - Section 1332 State Innovation Waiver

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July 30, 2024


Notice of Hearing & Public Comment Period

The North Dakota Insurance Department has opened a public comment period beginning on July 26th, 2024, until August 26th, 2024, related to the renewal of the state's Section 1332 State Innovation Waiver. Interested parties and individuals are encouraged to submit comments.

A public hearing will be held on Wednesday, August 27, 2024 for interested parties to present oral comments.

[Read More](#)

North Dakota Insurance Department
600 E Boulevard Ave. | Bismarck, ND 58505-0320
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