



Silver State Health Insurance Exchange

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MEMORANDUM

DATE: March 19, 2021

TO: Staff and Stakeholders

FROM: Silver State Health Insurance Exchange Policy Department

SUBJECT: Retro Termination Date Change Requests [45 C.F.R. 155.430](#)

Due to the amount of request the Exchange receives regarding retro termination date change requests the Policy Department is reminding all SSHIX staff and call center staff the applicable regulations for the request of a retro-termination date.

If the request is not requested within **14 days** of the desired termination date the request will generally be invalid and likely will be denied by SSHIX staff. Examples of this include enrollment into other MEC such as

- Medicare
- Employer sponsored coverage
- Off-Exchange coverage.

There are exceptions to the 14 day window which are outlined below.

1. A consumer gains Medicaid – These consumers are given a period of up to 60 days for retro-terminations and plan cancellations:
 - a. **Example:** Consumer A has a set termination date of 02/28/2021. Consumer requests a retro-termination date on 03/20/2021 for a termination date of 01/31/2021 because they were granted Medicaid effective 02/01/2021.
 - i. **Approved:** Consumer's request is within 60 days. Consumer must provide proof of the Medicaid effective date. Consumer's deadline to request is 04/29/2021.
2. A consumer demonstrates to the Exchange they attempted to terminate and experienced a technical error – These consumers are given a period of up to 60 days for retro-terminations and plan cancellations:
 - a. **Example:** Consumer A has a set termination date of 01/31/2021. Consumer requests a retro-termination date on 04/03/2021 for a termination date to provide no coverage for 2021.
 - i. **Denied** – Consumer's request would only allow the Exchange to retro terminate if there was an existing policy to 02/28/2021. Consumer's deadline to request would have been 04/01/2021.
3. A consumer demonstrates to the Exchange their enrollment was unintentional, inadvertent, or erroneous and was a result of error or misconduct of an employee, or agent – These consumers are given a period of up to 60 days for retro-terminations and plan cancellations:

- a. **Example:** Consumer A has a set termination date of 04/30/2021. Consumer requests retro termination date on 06/25/2021 for a termination date of 01/31/2021.
 - i. **Approved** – Consumers request is within 60 days and has ability to request a full cancellation.

- 4. A consumer demonstrates to the Exchange they were unaware of their enrollment - These consumers are given a period of up to 60 days for retro-terminations
 - a. Consumer A has a set termination date of 12/31/2021. Consumer requests retro termination date on 03/25/2022 for a termination date of 11/30/2021.
 - i. **Denied** – Consumers request is outside of 60 days to request. Consumer's deadline to request would be 03/01/2022