

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
Center for Consumer Information and Insurance Oversight  
200 Independence Avenue SW  
Washington, DC 20201



January 28, 2022

**VIA ELECTRONIC MAIL:** [Scott.White@scc.virginia.gov](mailto:Scott.White@scc.virginia.gov)

Scott White  
Insurance Commissioner  
Virginia Bureau of Insurance  
P.O. Box 1157  
Richmond, Virginia 23218

Dear Commissioner White:

Thank you for your submission on December 30, 2021 of Virginia's application for a State Innovation Waiver under section 1332 of the Affordable Care Act (ACA). Virginia's application seeks to waive certain ACA requirements and implement a state reinsurance program called the Commonwealth Health Insurance Reinsurance Program for plan years 2023 through 2027. I am pleased to send this letter from the Center for Consumer Information and Insurance Oversight (CCIIO) within the Centers for Medicare & Medicaid Services (CMS) under the Department of Health and Human Services (HHS), as well as on behalf of the Department of the Treasury (collectively, the Departments). The Departments have completed a preliminary review of the application in accordance with 45 CFR 155.1308(c) and 31 CFR 33.108(c), and we have made a preliminary determination that Virginia's application is complete.

Pursuant to 45 CFR 155.1308(d) and 31 CFR 33.108(d), the date of this letter marks the beginning of the Federal public notice process and 180-day Federal decision-making period. Public comments on Virginia's waiver application will be accepted by the Departments from January 28, 2022 through February 27, 2022, and more information about the Federal public notice process and section 1332 waivers generally can be found on the CCIIO website.<sup>1</sup> The decision of the Departments regarding approval or denial of Virginia's waiver application will be issued within 180 days of this preliminary determination of completeness in accordance with 45 CFR 155.1316(c), 31 CFR 33.116(c), and other applicable regulations.

We look forward to working with you on your waiver application and will be in touch if we need additional information. Please do not hesitate to contact us if you have any questions.

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<sup>1</sup> [https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section\\_1332\\_state\\_Innovation\\_Waivers-.html](https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_state_Innovation_Waivers-.html)

Sincerely,

A handwritten signature in black ink, appearing to read "Ellen Montz". The signature is fluid and cursive, with the first name "Ellen" and the last name "Montz" clearly distinguishable.

Ellen Montz, Ph.D.  
Director, Center for Consumer Information & Insurance Oversight  
Deputy Administrator, Centers for Medicare & Medicaid Services

Cc: Lily Batchelder, Assistant Secretary for Tax Policy, U.S. Department of the Treasury  
Glenn Youngkin, Governor, Commonwealth of Virginia  
Bradley Marsh, Health Insurance Policy Advisor, Virginia Bureau of Insurance