

## HPMS E-Mail

**Date:** April 8, 2022

**Subject:** Contract Year 2023 Medicare Advantage Maximum Out-of-Pocket Limits and Service Category Cost Sharing Standards Final Rule with Comment Period (CMS-4190-FC4)

CMS issued a final rule titled, “Contract Year (CY) 2023 Medicare Advantage (MA) Maximum Out-of-Pocket (MOOP) Limits and Service Category Cost Sharing Standards Final Rule with Comment Period (CMS-4190-FC4)”, on April 7, 2022 at <https://www.federalregister.gov/public-inspection/2022-07642/medicare-program-maximum-out-of-pocket-limits-and-service-category-cost-sharing-standards>. In this final rule with comment period, CMS is addressing two remaining proposals from the February 2020 proposed rule (85 FR 9002): (1) Maximum Out-of-Pocket (MOOP) Limits for Medicare Parts A and B Services (§§ 422.100 and 422.101) and (2) Service Category Cost Sharing Limits for Medicare Parts A and B Services and per Member per Month Actuarial Equivalence Cost Sharing (§§ 422.100 and 422.113).

We strongly encourage MA organizations to review the final rule with comment in its entirety. Final CY 2023 MOOP and other cost sharing limits are in the following tables in the final rule:

**Maximum Out-of-Pocket (MOOP) Limits--** Table 5: Final Contract Year 2023 MOOP Limits by Plan Type.

**PMPM Actuarial Equivalent Cost Sharing--** Table 27: Illustrative Comparison of Service-Level Actuarial Equivalent Costs to Identify Excessive Cost Sharing for Contract Year 2023.

**Service Category Cost Sharing--** Table 28: Final Contract Year 2023 In-network Service Category Cost Sharing Limits Using Projections of 2017-2021 Medicare FFS Data