

# LEGAL UPDATE

## Remainder of 2022 Notice of Benefit and Payment Parameters Finalized

On May 5, 2021, the Department of Health and Human Services (HHS) published a second [Notice of Benefit and Payment Parameters \(NBPP\) for 2022](#) that finalized the remainder of the standards included in the proposed notice issued at the end of 2020. The [first final 2022 NBPP](#) was published Jan. 19, 2021.

This second NBPP describes additional benefit and payment parameters under the Affordable Care Act (ACA) that apply for the 2022 benefit year, including the following:

- The annual out-of-pocket maximum limitation will increase to **\$8,700** (self-only coverage) and **\$17,400** (family coverage) for 2022. This amount is \$400 lower than was initially proposed.
- The required contribution percentage for catastrophic coverage eligibility will decrease from 8.27% for 2021 to **8.09%** for 2022.
- An additional special enrollment period (SEP) for Exchange coverage to allow Exchange enrollees who lose premium tax credit eligibility to change to a new plan, and allow individuals who were unaware that an SEP triggering event occurred to select a new qualified health plan within 60 days.

The first 2022 NBPP finalized provisions including updated user fees for issuers offering plans through the Exchange, establishment of a new Exchange direct enrollment option, Exchange payment standards related to individual coverage HRAs (ICHRAs) or qualified small employer HRAs (QSEHRAs), and amended Section 1332 waiver procedures.

### Highlights

#### Out-of-Pocket Maximum

The ACA's out-of-pocket maximum limit will increase to \$8,700 (self-only coverage) and \$17,400 (family coverage) for 2022.

#### Affordability Percentage

The required contribution percentage for catastrophic coverage eligibility will decrease to 8.09% for 2022.

*The second Notice of Benefit and Payment Parameters describes additional benefit and payment standards for the 2022 benefit year.*

Provided to you by **Wincline**

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