

Response to November 15, 2023 Audit Committee Question: 2022 Programmatic External Audit Report (95-Day Reasonable Opportunity Period)

Background:

Covered California presented the 2022 Programmatic Audit Results and reviewed a finding where the external auditors indicated we did not comply with the 95-day reasonable opportunity period when making eligibility determinations. When consumers' application information cannot be electronically verified, they are placed in a 95-day reasonable opportunity period to allow them to resolve their inconsistencies. Covered California extended the 95-day deadline due to the pandemic and public health emergency. The Centers for Medicare & Medicaid Services were aware of Covered California's extension and were supportive.

Question:

At the November 2023 Audit Committee meeting, Ms. Alvarez inquired if, given the flexibilities across the country during the pandemic, whether other states had findings pertaining to the 95-day reasonable opportunity period.

Covered California's Research and Response:

The Office of Audit Services conducted extensive research on the other state-based exchanges. Out of all the state-based exchanges that published programmatic audit reports on their websites, only Washington D.C. reported an eligibility finding that somewhat mirrored Covered California's reasonable opportunity period finding.

Washington D.C. responded in a similar manner as Covered California, explaining that the regulations permit both extensions and waivers of the reasonable opportunity period and verification requirement in appropriate circumstances. Washington D.C. provided flexibility to increase and maintain coverage during the pandemic and public health emergency.