

January 2023 Community Workgroup Q&A

2022 Form 1095-A

- **After completing their 2022 tax return, what do you recommend customers review and update on their 2023 application?**
 - We recommend that customers review their 2023 application to confirm that their expected annual income is still accurate. This is especially important for customers who received more APTC in 2022 than premium tax credit (PTC) they were eligible for. Customers can update their projected income on their Pennie application at any time – Pennie will redetermine their eligibility and automatically update their annual APTC calculations. For more information about how APTC is calculated when reporting mid-year changes to income, see the [June 2022 Pennie Community Workgroup](#) where we reviewed mid-year income changes.
 - Reminder: Pennie allows customers to opt to apply only a portion of the maximum eligible APTC to their enrollment. Customers can adjust the amount of APTC applied to their enrollment at the end of the plan shopping experience. Why would someone want to use less than the maximum amount of APTC? This may be a good option for customers who have uncertainty about their 2023 projected annual income and want to protect against possibly having to pay back excess APTC on their tax return. If the customer is eligible for more PTC than APTC, they will be able to receive the additional PTC on their tax return.
- **Will customers without APTC receive a 1095-A form?**
 - Any customer enrolled in coverage through Pennie will receive a 1095-A, regardless of whether they received APTC during the year or not.

Unwinding of Medicaid Continuous Coverage Requirement

- **During the unwinding of the Medicaid Continuous Coverage Requirement (previously referred to as “PHE Unwinding”), I understand that there will be a significant number of people losing Medicaid coverage. Is there anything that can be shared with us about this?**
 - DHS will be redetermining eligibility for Medicaid coverage through their MA renewal process, spread out over a 12-month period.
 - Pennie will be providing detailed operational information in an upcoming Community Partner Workgroup this spring.

- In the interim, you can learn more about the unwinding of Medicaid Continuous Coverage Requirement by going to pennie.com/learn/loss-of-medical-assistance-coverage Or by signing up to be a DHS Helper to stay informed about the unwinding process.
dhs.pa.gov/PHE/Pages/Helpers.aspx

FAQs – Reasons for No APTC Eligibility

- **Can you clarify what FPL guidelines Pennie is currently using to determine eligibility? Why do I sometimes receive a slightly different outcome between the Browse for Plans estimated eligibility and the actual eligibility determination from the customer's application?**
 - For 2023 plan year, Pennie uses 2022 federal poverty levels (FPLs) to determine eligibility for financial assistance including Medicaid, CHIP, and APTC/CSR. For APTC/CSR eligibility, Pennie uses the same FPLs for the entire plan year. For Medicaid/CHIP eligibility, Pennie will begin using the updated FPLs in the spring (typically as part of our March/April system updates). For more information on updated FPLs for Medicaid/CHIP eligibility, see [April 2022 Community Partners Workgroup](#).
 - There are many reasons you may see differences in eligibility between the Browse for Plans estimated eligibility and the actual eligibility determination from submitting the customer's application, including changes to income/deductions, household size, number of household members seeking coverage, and changes in effective date which can result in different age rating. Browse for Plans only provides an estimated eligibility.
 - Remember: Browse for Plans does not take into account mid-year changes for customers who have already received APTC earlier in the plan year. You need to update the customer's actual application to get an updated eligibility determination. For more information on mid-year changes and how they impact APTC calculations, see [June 2022 Community Partners Workgroup](#).
- **How are members supposed to answer the APTC reconciliation question if this is their first time receiving APTC?**
 - Per federal rules, individuals are ineligible for APTC if they have not reconciled APTC received in previous years with the IRS by filing the relevant forms on their tax return.

- Pennie’s application asks customers whether they have reconciled APTC received in previous years using the question shown in the screenshot below. Customers should answer the question appropriately for their situation, and we will use their answer to determine their eligibility for APTC for the application year.

- There are 4 possible ways to answer the questions on this page of the application. Here’s an overview of what each of these answers means:
 1. Yes/Yes – The customer received APTC in prior year(s), and the customer claimed that APTC on their tax return for each of those years.
 2. Yes/No – The customer received APTC in prior year(s), but the customer did NOT claim that APTC on their tax return for each of those years as required by federal law.
 3. Yes/No because only received in 2020 – The customer received APTC only in 2020 plan year and therefore was not required to claim that APTC on their tax return due to a special rule unique to APTC received in 2020.
 4. No/(blank) – The customer never received APTC in prior years where they would have needed to claim that APTC on their tax return, and therefore there is no need for them to have claimed anything on a tax return.
- Example: Application for 2023 coverage, submitted in December 2022 during Open Enrollment. Customer received APTC in 2022, but never received APTC in prior years. The customer has not yet filed their 2022 tax return but plans to do so before the normal filing deadlines. Since the customer has not had an opportunity to reconcile with the IRS yet, the expected answer on their application would be “No” to the first question. If a customer has received APTC in a year in which they have filed their tax return with the IRS (or are past the filing deadline for that

year's tax returns), the customer would be expected to answer "Yes" to the first question and then answer appropriately to the 2nd question based on whether they claimed their APTC on that tax return.

- **If a consumer was auto-renewed without APTC, are they still able to edit their application to update for APTC for the rest of the year, even though OEP ended?**
 - Customers can update their eligibility application at any time during the year, for any reason, and receive a new eligibility determination. However, outside of open enrollment, customers can only enroll in a health plan (or change their current health plan) if they experience certain qualifying life events to be eligible for a special enrollment period (SEP).
 - If the customer is currently enrolled in a plan through Pennie, any change to their eligibility, such as a change to the amount of APTC they are eligible for, is automatically applied to their current enrollment without needing to qualify for an SEP.
 - Note: Certain changes in circumstances that result in a customer being newly-eligible for financial assistance may trigger an SEP. For example, a change of income that results in a customer becoming newly-eligible for financial assistance would qualify as an SEP to enroll in health coverage through Pennie. However, if a customer was ineligible for APTC due to not providing consent to check the federal data hub at renewal and then they update their application to provide consent to check the hub and they end up being found eligible for APTC, that is not an SEP.

SEP Refresher

- **What if an individual voluntarily terminated an expensive indemnity plan or private off-Exchange plan (especially if it doesn't include coverage for essential health benefits)? Will they qualify for an SEP?**
 - Voluntary termination of coverage does not qualify someone for a Loss of Minimum Essential Coverage SEP. These individuals should enroll during the annual open enrollment period, or mid-year if they experience some other qualifying life event.
- **If COBRA coverage is offered, do customers have to enroll in COBRA or can they opt for coverage through Pennie if they don't elect COBRA?**
 - Customers who have involuntarily lost their job-based coverage can qualify for a Loss of MEC SEP to enroll in coverage through Pennie outside of OE, even if they are eligible for COBRA through their job-based coverage. Eligibility for COBRA does not make someone ineligible for financial assistance through Pennie. However, if an individual enrolls in COBRA coverage, they would be ineligible for

financial assistance through Pennie and would only be able to enroll through Pennie during OE (or when their COBRA coverage ends due to expiration of the maximum duration of COBRA which would qualify for a Loss of MEC SEP).

- See [Pennie FAQ on COBRA Coverage and Options through Pennie](#) and [Pennie FAQ on What if I Lose Job-Based Health Insurance](#)

- **SEP Scenario: A customer's off-Exchange plan ends mid-month, they sign up for coverage through Pennie effective the first of the following month. Then, they experience an injury or illness during the uncovered period (between the mid-month end of their of-exchange coverage and the start of coverage through Pennie the start of the next month). If the customer then elects COBRA for the gap in coverage, would that invalidate their coverage through Pennie?**
 - At the time the person enrolled in coverage through Pennie, the customer would be eligible for an SEP to enroll in coverage through Pennie (assuming the termination of their previous coverage was involuntary and qualified for the Loss of MEC SEP). If the customer later enrolled in COBRA after having already enrolled through Pennie, that would not negate their eligibility for the Loss of MEC SEP at the time they enrolled through Pennie. The enrollment in COBRA would make the customer ineligible for APTC/CSR for any months of coverage they were enrolled in COBRA (assuming that COBRA coverage is MEC). If the customer had already received APTC for those months of coverage that overlapped with COBRA coverage, the customer would potentially owe that money back on their tax return.

- **If a customer wants to enroll in a standalone dental plan outside of open enrollment, do they need an SEP?**
 - Yes, any enrollment outside of OE requires an SEP, including enrollments in standalone dental plans.

Path to Pennie

- **Who is eligible for the Path to Pennie SEP?**
 - Any PA resident who submits REV-1882 form with their PA tax return indicating that at least one member of their household is uninsured. For more information on Path to Pennie and the Tax Filer SEP, go to <https://pennie.com/learn/pathtoPennie/> or [April 2022 Community Workgroup](#).

- **Is there an income limit for filers to receive the Tax Filer SEP?**
 - No, there is no income requirements to be eligible for the Tax Filer SEP, nor does the individual need to apply for financial assistance to be eligible for the Tax Filer SEP.

- **Are we still able to use the self-attestation form to verify that the REV-1882 form wasn't available?**
 - Yes, but only if the customer's tax provider did not make the REV-1882 form available to them. Almost all of the large and mid-size tax prepare software supports REV-1882 for 2022 tax year so most customers will not be available for the attestation form.

External Affairs

- **We share information with assisters and brokers and other community partners.**
 - We send frequent emails to assisters and brokers, and other community partners, with Pennie updates such as system enhancements, customer concerns, application updates and more. Pennie also distributes a quarterly newsletter to stakeholders and customers on Pennie news and updates.
 - We cover these topics in monthly Community Partner Workgroup sessions, often in great detail and with screenshots and step by step walkthroughs, to ensure you have the necessary information. If you aren't able to attend the workgroup session live, workgroup materials and recordings of the session are available afterwards at [Pennie Community Workgroup | Pennie](#).
- **Is the Path to Pennie Outreach Webinar for Customers or Assister/Brokers?**
 - No, the Webinar is for PA Tax professionals to make sure they are aware of Path to Pennie and how to file REV-1882 form.
 - However, we do have an updated Path to Pennie toolkit that will be available soon for assisters and brokers.

2024 Plan Certification Policy Proposal

- **How are customers notified of their autorenewal plan? Does their notice include any information about the differences between their current plan and their autorenewal plan?**
 - Customers receive renewal information from both Pennie and their insurer, each with different types of information. Pennie's renewal information addresses changes to eligibility for financial assistance, eligibility for an autorenewal plan, and what they can do during Open Enrollment if they want to look at other plan options. The insurer's renewal information includes cost sharing information, benefit changes, as well as links to where the customer can view a full breakdown of their new plan and benefits.

- **How can Pennie-certified assisters and brokers find out more about renewal plan and benefit changes each year?**
 - Insurers provide annual trainings about their plan offerings and changes to their plans for the upcoming plan year. These presentations would be a valuable resource in reviewing benefit changes with customers. Insurer trainings usually occur in early to mid-October, prior to the start of open enrollment.

FAQs – DMI Resources

- **How can I tell which of my customers has an open DMI that requires action?**
 - See “Understanding, Resolving, and Troubleshooting DMIs” from our [May 2022 Community Workgroup](#) for detailed walkthrough of this process, including screenshots.
 - In addition, we have been working with our IT vendor to try to make it easier for assisters and brokers to identify their customers that have an open DMI that requires action. We have system enhancements in the works that we hope to bring to you soon.

FAQs - Income DMIs

- **When uploading income DMI documentation, I noticed that now I have to enter a dollar amount that each document upload represents. What’s the purpose of this step?**
 - For each document you upload to resolve an Income DMI, you should select the type of document and enter the dollar amount of annual income that this document verifies. With each document you upload, you will see a running total of the amount of income you have documented so far, along with the total amount of income on the application. You will not be able to submit your documents for review until you have uploaded documents representing close to the amount of income reported on the application.
 - The reason we added this step is to help guide customers through the document upload process and avoid some of the most common pitfalls that result in income documents being rejected to minimize the number of documents that are initially rejected. These steps help to ensure customers:
 - Provide documentation for the total household income, not just one person’s income.
 - Reminded of the amount of income reported on their application and can see a running total of how much income they have provided documentation for so far.
 - Clarify what annual income they intend the document to represent.
 - Note: This can be especially important for things like paystubs where we have to calculate an annual income amount from a

document representing a short period of time and not all of the required information is clearly documented, such as frequency of pay.

- **What if the documents I have do not add up to the total amount of income on the application?**
 - If you are not able to provide documentation for all of the income reported on the application, or the reported income varies from the amount shown in the documents, then you should provide all of the documentation you have along with the income self-attestation form explaining why you are reporting income that differs from the documentation and why documentation is not available for that portion of the income.
 - **IMPORTANT:** If any documentation is available for any portion of the reported income, even if the reported income varies from the document, you need to provide that documentation in conjunction with an income self-attestation form. Income self-attestation forms submitted without any supporting documents will be rejected except in extremely rare circumstances.
 - See [November 2022 Community Partners Workgroup](#) for more details on resolving income DMIs and when you can (and cannot) use the income self-attestation form.

- **I have customers that have submitted income documents that have been rejected several times and I don't know why those documents were not sufficient. How can I find out why documents are being rejected and what documentation is needed that would satisfy the DMI?**
 - As discussed in our [November 2022 Community Partners Workgroup](#), Pennie is required by federal law to verify a customer's income information in order for the customer to receive APTC. We first try to verify this information against trusted data sources. If we are not able to verify the reported income is within the maximum permitted difference from the trusted data sources, we create a DMI to allow the customer time to provide documents that can verify the reported income. These documents are used to verify what was already self-attested to on the application. If the documents are not sufficient to verify all of the income attested to on the application, the documents will be rejected. When documents are rejected, the customer should receive a message (in their secure inbox or in My Tickets) from the Pennie team explaining why the documents were rejected. If you are still unclear on why the documents were insufficient and what is needed to resolve the DMI, you should call Pennie Customer Service at 844-844-4440.

Because each customer's situation is unique, it's difficult to give a simple answer as to what documents will resolve an income DMI – it depends on the information on the application and the documents available to the customer.

- **Are income self-attestation forms still accepted?**

- Self-attestation forms are still accepted but are not meant to be used as the primary means of validating income. Customers are still expected to upload documents if they have them. Pennie will not accept attestation from customers who have not attempted to submit proper documentation first. The attestation form is only for customers as a last resort due to not being able to verify attested income on application through proper documentation. Federal law requires customers verify income through proper documentation. Please see the [November 2022 Community Workgroup](#) where we discussed income DMIs and the appropriate use of the Attestation of Income document and what to do when you don't have sufficient documentation for each piece of income on the application.

- **Why can we not just use the self-attestation form since the individual would any discrepancy comes back on the member?**

- Federal law requires that marketplaces verify all eligibility criteria for an individual to receive APTC. When a marketplace cannot verify the application information against trusted data sources, the customer must provide documentation verifying the information on their application. If the information cannot be verified by the end of the reasonable opportunity period, the marketplace is required by federal law to terminate their financial assistance or even their coverage, depending on the type of DMI.
- The reason it is not acceptable to submit an income self-attestation form without supporting documentation is because that is not verification – it is simply attesting to income that was attested to on the application. Federal law requires verification.
- And yes, while some individuals who receive more APTC than PTC they are eligible for will end up paying back the excess APTC on their tax return at the end of the year, not all excess APTC is paid back. For some lower income individuals, there are caps on how much excess APTC they will have to pay back on their tax return. For other individuals, they will not pay back excess APTC because they won't file their tax return or won't report the APTC on their tax return.

- **A customer is applying for APTC but is newly self-employed and therefore won't have any proof of income to supply. Can they just submit the income self-attestation form with no additional documentation?**
 - No. The Income Self-Attestation form should be accompanied by documentation in almost all circumstances. Self-employed individuals have access to other forms that are acceptable sources of income that should be provided, either on their own or in conjunction with a self-attestation form. See [Pennie FAQ on Reporting Self-Employment Income](#).
- **How do customers provide documentation of 1099 income when they do not have pay stubs?**
 - 1099s are an acceptable document to verify income. If the customer has other documentation showing their expected income, they can include those as well.
 - See [Pennie FAQ on Documents to confirm your household income](#).
- **Is Social Security counted towards eligibility for APTC/CSR through Pennie? Should it be reported on the customer's application?**
 - Customers should include the full amount of both taxable and non-taxable Social Security income on their application, including Social Security Disability Income (SSDI).
 - Customers should NOT include Supplemental Security Income (SSI).
 - For more information, see "What to include as income" FAQ: <https://help.pennie.com/hc/en-us/articles/360057479313-What-to-include-as-income>

Miscellaneous

- **I have a customer who is eligible for job-based coverage, and I think they may benefit from the recent fix to the family glitch. Can you explain how to enter information about the cost of family coverage through employer-sponsored coverage?**
 - You should enter the employee's cost to enroll all of their tax dependents in the lowest cost plan that meets minimum value.
 - See [December 2022 Community Partner Workgroup](#) for details about the changes to affordability for employer-sponsored coverage for family members starting with 2023 plan year, due to the family glitch fix.

- **Some of my clients who are approaching Medicare age are receiving calls from Pennie about how to handle the transition from Pennie to Medicare. Can you clarify what is being communicated by Pennie?**
 - Our communications to customers who are approaching Medicare age inform customers of the timing that they need to terminate their Pennie coverage in coordination when their Medicare coverage begins. We are trying to make sure they understand that they cannot request retroactive termination of their Pennie coverage as we had previously been receiving many calls from recent Medicare enrollees who called too late to terminate their Pennie coverage without any overlap with their Medicare coverage. We also discussed the handling of Pennie coverage approaching Medicare age in the [August 2022 Community Workgroup](#) if you want more information.

- **Does Pennie automatically determine if a member is CSR-eligible?**
 - When a customer submits an application for financial assistance, Pennie determines their eligibility for all financial assistance programs, including cost-sharing reductions (CSR). If a customer is already enrolled in a Silver plan through Pennie and becomes eligible for CSR (or changes the level of CSR they are eligible for), Pennie will automatically update their enrollment to reflect their new level of CSR.
 - Note: Plan names may be different between each of the CSR levels of the same Silver plan.

- **For individuals currently enrolled in Medicaid, can they enroll in a Pennie plan without APTC?**
 - Yes, individuals eligible for Medicaid/CHIP are able to enroll in a plan through Pennie if they pay the full premium.

- **Where can I find the IRS applicable percentage used to determine an individual's premium tax credit, based on their income as a percentage of federal poverty levels (FPLs)?**
 - See [IRS Form 8962 Instructions](#) and [IRS Publication 974 – Premium Tax Credit \(PTC\)](#) for details PTC eligibility and calculation. The applicable percentage is on Line 7 of Form 8962.

- **We have customers who newly enrolled in coverage through Pennie late in 2022 (e.g. 10/1, 11/1, or 12/1 coverage start dates) that were not automatically renewed into coverage for 2023. Why were they not auto-renewed?**
 - Pennie generates autorenewals during October so that customers have their autorenewals by the start of open enrollment on November 1. While Pennie does have run another batch of autorenewals shortly before the December 15 deadline for 1/1 coverage, not all customers can be autorenewed for various reasons. Therefore, we always recommend that customers enrolling for late in the year for current year coverage also make an active selection for coverage in the upcoming plan year. For more information, please refer to the [November 2022 Community Workgroup](#) where we discussed autorenewal process in detail.
- **Is there a report we can run week-to-week to monitor our client list in order to make sure we are not losing clients? We have had issues with Blue Cross taking our clients.**
 - Brokers may export their Book of Business (BOB) to Excel by clicking on “Active Customers” and selecting the export to Excel function. Additionally, a notice is sent to a Broker’s Secured Inbox when BOB changes occur.
- **How can I access previous Community Partners Workgroup materials?**
 - Past workgroup meeting materials and recordings are available here: <https://agency.Pennie.com/Pennie-community-workgroup/>
- **A customer told me about a call they had with Pennie Customer Service where they did not think the call was handled appropriately or professionally. How do I report that to Pennie?**
 - While Pennie monitors calls for quality and accuracy purposes, we can’t listen to every call. If you or a customer have an experience where you don’t think the call was handled appropriate or professionally, please let us know so we can review the call recording and address the issue promptly. You can ask to speak to a supervisor while on the call. If that doesn’t work, you can always report the call to us at assisters@pennie.com or brokers@pennie.com. To be able to investigate and address the issue, we need to know who called, when the call occurred, and any other details you can to help us identify the specific call (e.g. ticket number, customer application number that you were calling about, the phone number the call came from).

- **If a customer makes less than 138% federal poverty level (FPL), is assessed potentially-eligible for Medicaid, but is then found ineligible for Medicaid, can they be eligible for APTC for coverage through Pennie? Or would they have to pay full price for coverage through Pennie? I've seen different outcomes for different customers.**
 - Customers with income of 100%-138% FPL who are ineligible for Medicaid can be eligible for APTC for coverage through Pennie.
 - Customers with income less than 100% FPL who are ineligible for Medicaid MAY be eligible for APTC but ONLY if they are ineligible for Medicaid due to immigration status.
 - Customers with income less than 100% FPL who are ineligible for Medicaid for reasons other than their immigration status are not eligible for APTC, per federal law, and therefore would only be eligible for full price coverage through Pennie.