**Section 4500.40 QHP Issuer Certification**

a) The Exchange will only offer health plans that have in effect a certification issued or that are recognized as plans deemed certified for participation in the Exchange as a QHP, unless specifically provided otherwise (see 45 CFR 155.1000(b) (Feb. 27, 2015) (no later editions or amendments)).

b) For certification in any given year, a QHP issuer must be validly accredited in accordance with the timeline set at 45 CFR 155.1045(b) (Feb. 25, 2013) (no later editions or amendments). An accreditation is valid if it complies with the requirements of 45 CFR 156.275 (Feb. 25, 2013) (no later editions or amendments). A QHP issuer's certification submission to the Department must include evidence of compliance with accreditation standards for its place on the timeline.

c) The Exchange will allow a limited scope dental benefits plan to be offered through the Exchange under the conditions specified in 45 CFR 155.1065 (Mar. 27, 2012) (no later editions or amendments).

d) The Exchange will certify a health plan as a QHP in the Exchange if (see 45 CFR 155.1000(c)):

1) the health insurance issuer provides evidence during the certification process that it complies with the minimum certification requirements outlined in Section 4500.90, as applicable; and

2) the Exchange determines that making the health plan available is in the interest of the qualified individuals and qualified employers, except that the Exchange will not exclude a health plan:

A) on the basis that the plan is a fee-for-service plan;

B) through the imposition of premium price controls; or

C) on the basis that the health plan provides treatments necessary to prevent patients' deaths in circumstances the Exchange determines are inappropriate or too costly.

e) QHP certifications will be issued on a calendar-year basis. However, for the SHOP, except when the Exchange has decertified the QHP pursuant to Section 4500.70, a certification will continue to remain in effect for the duration of any plan year beginning in the calendar year for which the QHP was certified, even if the plan year ends after the calendar year for which the QHP was certified (see 45 CFR 155.1000(d)).

f) At least six months before the start of the annual open enrollment period, the Exchange will annually publish on its website a timeline of QHP certification deadlines and milestones, including, but not limited to, the date the application period will open, an initial application deadline, a final application deadline, a deadline for QHP issuers to sign QHP certification agreements, and the date the Exchange will release certification notices to issuers along with fully executed QHP certification agreements. The certification notice and fully-executed QHP certification agreements will be released no later than 25 days before the start of the annual open enrollment period.