



Confirmations on the State EHB-Benchmark Plan

OMB Control Number: 0938-1174

Expiration Date: 11/30/2027

Instructions: All fields on this template are required to be completed. Please make sure to answer all fields and confirm that the new EHB-benchmark Plan covers all 10 EHB categories: (1) ambulatory patient services; (2) emergency services; (3) hospitalization; (4) maternity and newborn care; (5) mental health and substance use disorder services including behavioral health treatment; (6) prescription drugs; (7) rehabilitative and habilitative services and devices; (8) laboratory services; (9) preventive and wellness services and chronic disease management; and (10) pediatric services, including oral and vision care. Under Section D, please complete the "Explanation" column with sentences describing how the State is complying with the specific requirement; single word responses such as Yes, No, or N/A are not sufficient responses.

SECTION A

Points of Contact for the State's EHB-Benchmark Plan Selection	Primary	Secondary
Name	Angela Raley, Director, Health and Life and Manager Care Division	Shaun T. Orme, Executive Advisor
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SECTION B

EHB-Benchmark Plan Selection Options	State's Selections
State	Kentucky
For what plan year is the State selecting its new EHB-benchmark Plan to begin applying?	2027

SECTION C

EHB Category Criteria for a State EHB-benchmark Plan at 45 CFR 156.111	Does the State's EHB-benchmark Plan cover the EHB category?
Ambulatory patient services	Yes
Emergency services	Yes
Hospitalization	Yes
Maternity and newborn care	Yes
Mental health and substance use disorder services, including behavioral health treatment	Yes
Prescription drugs	Yes
If the State is changing its prescription drug EHB, did the State provide a complete and accurate formulary drug list under the Appendix D entitled "Rx Template" in this workbook?	Not Applicable to State's Selection Option
Rehabilitative and habilitative services and devices	Yes
Laboratory services	Yes

Preventative, wellness, and chronic disease management	Yes	
Pediatric services, including oral and vision care	Yes	

SECTION D

Under Section D, please complete the "Explanation" column with complete sentences describing how the State is complying with the specific requirement.

EHB-Benchmark Plan Requirements	State's Confirmations	Explanation
Does the State's EHB-benchmark plan definition meet the requirements of § 156.111(b)(1) with regard to scope of benefits?	Yes	The benchmark covers all 10 categories of benefits specified in the relevant federal regulations.
Is the State's EHB-benchmark plan equal to the scope of benefits provided under a typical employer plan as defined and established at § 156.111(b)(2)(ii) (or greater than the scope of benefits provided under a typical employer plan, to the extent any supplementation is required to provide coverage within each EHB category at § 156.110(a))?	Yes	See Actuarial Certification & Report completed by Lewis & Ellis, LLC
Has an actuary, who is a member of the American Academy of Actuaries, in accordance with generally accepted actuarial principles and methodologies, affirmed in accordance with § 156.111(e)(2) that the State's new EHB-benchmark plan provides a scope of benefits that is equal to the scope of benefits provided under a typical employer plan as defined and established at § 156.111(b)(2)(ii) (or greater than the scope of benefits provided under a typical employer plan, to the extent any supplementation is required to provide coverage within each EHB category at § 156.110(a))?	Yes	See Actuarial Certification & Report completed by Lewis & Ellis, LLC
Is the State's EHB-benchmark Plan unduly weighting benefits towards any of the categories of benefits (§ 156.111(b)(2)(iii))?	No	The plan covers all EHB benefit categories with no undue weighting in favor of any single EHB category.
Does the State's EHB-benchmark Plan provide benefits for diverse segments of the population in accordance with § 156.111(b)(2)(iv)?	Yes	The plan covers benefits for diverse segments of the population including women, children, persons with disabilities, and other groups.
Did the State provide reasonable public notice and an opportunity for public comment on the State's selection of its EHB-benchmark Plan that includes posting a notice on its opportunity for public comment with associated information on a relevant State Web site in accordance with § 156.111(c)? Please provide the public notice dates and applicable website address in the "Explanation" column.	Yes	Public comments were solicited via the State's website on February 4, 2024 through April 5, 2025. Website Post: https://insurance.ky.gov/ppc/Documents/Kentuckys%20Proposed%20Changes%20to%20the%20EHB-Benchmark%20Plan.pdf
Are non-EHB benefits excluded from the EHB-benchmark Plan in accordance with § 156.115(d)? (Non-EHB benefits include non-pediatric eye exam services, long-term/custodial nursing home care benefits, or non-medically necessary orthodontia)	Yes	The benchmark plan does not include non-pediatric eye exams, long-term/custodial nursing home benefits, non-medically necessary orthodontia.
Has the State converted any benefits in its EHB-benchmark Plan restricted by annual or lifetime dollar limits as defined by § 147.126 to non-dollar limit benefits?	Yes	There are no annual or lifetime dollar limits on Essential Health Benefits.
Does the EHB-benchmark Plan include benefits mandated by State action taking place after 2011, other than for purposes of compliance with Federal requirements, for which payment is required under § 155.170?	Yes	This benchmark change application include changes to inatrogenic infertility services, speech therapy services, preventive cancer services, and biomarker testing services, all in regards to state mandates taking place after 2011.
Are the EHB-benchmark Plan's benefits designed such that they do not discriminate based on an individual's age, expected length of life, present or predicted disability, degree of medical dependency, quality of life, or other health conditions as prohibited by § 156.125 and in accordance with § 156.111(b)(2)(v)?	Yes	The KY benchmark plan does not contain any prohibited discriminatory benefit design, to our knowledge.
Is there any additional information CMS should know?	Yes	Relevant additional information is provided in the Actuarial Memorandum completed by Lewis & Ellis, LLC

PRA DISCLOSURE: