

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Center for Consumer Information and Insurance Oversight
200 Independence Avenue SW
Washington, DC 20201



March 19, 2025

Mr. Isaac Belbel
6006 North Mesa Street - Suite 108
El Paso, Texas 79912

RE: **Five Points Student Health Plan - Approval of Application for Recognition as Minimum Essential Coverage.**

Dear Mr. Belbel,

This letter conveys the results of the Centers for Medicare & Medicaid Services' (CMS) review of the Five Points Student Health Plan (the Plan) in connection with your application for the Plan's recognition as minimum essential coverage (MEC) pursuant to 45 C.F.R. § 156.604.

Section 5000A of the Internal Revenue Code (the Code), as added by the Patient Protection and Affordable Care Act (Affordable Care Act), provides that all non-exempt individuals must enroll in MEC or make an individual shared responsibility payment with their federal income tax return.¹ In addition, under regulations implementing the Affordable Care Act, certain special enrollment periods to enroll in individual health insurance coverage through or outside the Exchange outside of the annual open enrollment period are only available to individuals who had or lost MEC.² In addition to the types of coverage designated as MEC in section 5000A of the Code and in final regulations at 26 C.F.R. 1.5000A-2 and 45 C.F.R. § 156.602, the Department of Health and Human Services (HHS), pursuant to authority granted to the Secretary of HHS under section 5000A(f)(1)(E) of the Code and delegated to CMS, may recognize "other coverage" as MEC. Such coverage must comply with substantially all of the requirements of Title I of the Affordable Care Act that apply to non-grandfathered health plans in the individual market.

Having completed the review of the application for recognition as MEC for the Plan, CMS has determined that the Plan complies with substantially all of the requirements of Title I of the Affordable Care Act that apply to non-grandfathered health plans in the individual market. The Plan is recognized as MEC pursuant to 45 C.F.R. § 156.604, effective February 27, 2025.

¹ Public Law 115-97 (2017), commonly referred to as the Tax Cuts and Jobs Act, reduced the individual shared responsibility payment amount to zero for months beginning after December 31, 2018.

² See 45 C.F.R. §§ 147.104(b)(2) and 155.420(a)(5) and (d).

This recognition as MEC will remain in effect until you make a substantial change to the benefits provided by the Plan (e.g., a reduction in benefits, increase in cost sharing, or the Plan no longer complies with a requirement of Title I of the Affordable Care Act that applies to non-grandfathered health plans or policies in the individual market).

All coverage recognized as MEC pursuant to 45 C.F.R. § 156.604 is subject to the requirement to provide notice of MEC status to all enrollees pursuant to 45 C.F.R. § 156.604(d), and required to comply with the information reporting requirements of section 6056 of the Code. All coverage recognized as MEC pursuant to 45 C.F.R. § 156.604 is also subject to HHS audit authority as provided in 45 C.F.R. § 156.606, which states that the HHS Secretary may audit a plan or program recognized as MEC at any time to ensure compliance with the requirements of 45 C.F.R. § 156.604(a).

Please note that if any change is made to the Plan, you must notify CMS of the change by sending an email to MEC@cms.hhs.gov describing the change at least 60 days prior to the effective date of the change. If CMS determines that the change is substantial, CMS will notify you that you must reapply for the Plan to be recognized as MEC.

If you have any questions or concerns, please contact us via email at MEC@cms.hhs.gov and include your organization's name in the subject line. Thank you for your cooperation. Please retain this letter for your records.

Sincerely,

SAMARA A. Digitally signed by
SAMARA A. LORENZ -S
LORENZ -S Date: 2025.03.19
10:41:24 -04'00'

Samara Lorenz
Director, Oversight Group
Center for Consumer Information & Insurance Oversight