



Multi-State Plan Program Issuer Letter

Number: 2014-001

Date: January 10, 2014

Subject: Multi-State Plan Program External Review Safe Harbor

On November 27, 2013, the U.S. Office of Personnel Management (OPM) issued Multi-State Plan (MSP) Program Administration Letter (PAL) No. 2013-002 entitled Multi-State Plan Program External Review Process. That PAL provides background and explanation for 16 external review standards and timeframes that will apply under the MSP Program External Review Process. This Issuer Letter provides a safe harbor for Multi-State Plan (MSP) issuers with regard to those standards.

With respect to claims subject to the External Review Process in the 2014 Contract Year, OPM will not impose a compliance action, other than a corrective action plan where warranted, upon an MSP issuer for failure to implement requirements associated with the MSP Program External Review Process, provided that the MSP issuer is working diligently and in good faith to implement the MSP Program External Review Process. This safe harbor extends to MSP documents, MSP notice requirements, MSP filings, and MSP issuer efforts to meet the timeframes and processes described in the operational guidance issued by OPM in the MSP Program Administration letter dated November 27, 2013.

In order to effectively implement the MSP Program External Review Process, OPM must review the language concerning external review that appears in MSP-related documents. Accordingly, as an initial demonstration of its commitment to working diligently and in good faith, an MSP issuer should provide to OPM, no later than February 9, 2014, relevant External Review language contained in MSP filings and consumer notices. OPM expects an MSP issuer to work diligently and in good faith to correct any deficiencies in those documents, to the extent permitted under applicable law and relevant state insurance department procedures.

If you have questions about the information provided in this letter, please contact Edward M. DeHarde, MSP Program Contracting Officer, at 202-606-2128, or by email at Edward.DeHarde@opm.gov.

Sincerely,

John O'Brien
Director
Healthcare and Insurance