

Harvard Pilgrim Health Care
1 Wellness Way
Canton, MA 02021
harvardpilgrim.org



January 30, 2025

Mr. Robert Carey
Superintendent
c/o Karma Lombard
Maine Bureau of Insurance
34 State House Station
Augusta, Maine 04333

Via Email: Karma.Y.Lombard@maine.gov

Re: 2026 Clear Choice Standardized Plan Designs

Dear Superintendent Carey,

On behalf of Point32Health, the parent company of Harvard Pilgrim Health Care, I am writing to provide comments on the 2026 Clear Choice Standardized Plan Designs.

Clear Choice Plans

Following a thorough review of the proposed plan designs, we found the Clear Choice Silver Plans both have actuarial values (AVs) over 71%, with the 3500 Clear Choice plan at 71.96% and the 4400 Clear Choice plan at 71.34%. This does not leave enough room for plans to make upward adjustments to the AV. For example, Harvard Pilgrim offers a split generic copay of \$5/\$25 with \$5 applicable to low-cost generics and \$25 applicable to other generics. The adjustment for the split generic copay increases the AVs shown in the 2026 Clear Choice Plan by about 1 ppt, resulting in AVs over the allowed limit of 72%. With the proposed Clear Choice designs for both the 3500 and 4400, we would be unable to offer the low-cost generic tier option to consumers. The low-cost generic tier provides significant cost share savings for our members and is not something we want to take away as many of the members who benefit from this option are on subsidized plans.

We realize that changes to the AV calculator for 2026 make it challenging to create silver plans with AVs close to 70% without significantly increasing cost sharing but lowering the AVs will result in lower premium options for consumers. We encourage the Bureau to consider increasing cost sharing for the silver plans to at least get to AV levels below 71% to allow for sufficient room in either direction for carriers to make the needed adjustments specific to their plans and remain within the required silver AV parameters.

CSR Plans

The Affordable Care Act requires the AV of the CSR 73% plan to be at least 2 ppts higher than the AV of the base silver plan. The proposed 3500 CSR 73% plan is not in compliance with this requirement with an AV of 73.85% compared to the base 3500 Clear Choice plan AV of 71.96%. In addition, both the CSR 73% plans have AV close to the high end of the allowable range, making it difficult for plan adjustments outside of the calculator.

We recommend that the Bureau adjust the CSR 73% plans so they are closer to the lower end of the allowable AV range. This will be easier to accomplish if the base plans' cost sharing are increased to produce AVs under 71% as recommended above.

Thank you for the opportunity to provide comments. Please contact me if you have any questions.

Sincerely,

Stefani Reardon
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