2026 OPEN ENROLLMENT PERIOD NOV. 1, 2025 - JAN. 15, 2026*

PROTECT YOUR PEOPLE

Marketplace Open Enrollment Rules Guide

We're committed to you and your clients. You can count on us for the support you need to keep your clients connected to care.

2026

*OEP dates for State-based Exchanges (SBEs) may vary.

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Stay Connected to Care with Ambetter Health

Marketplace Integrity and Affordability Final Rule

Federal laws are changing enrollment rules this year, but we're here to make sure you know how to keep your clients covered, get the most for their money, and make enrollment as easy as possible. Count on Ambetter Health for the support needed to stay connected to care.

Centers for Medicare & Medicaid Services (CMS) is implementing the new Marketplace rules below. View the Marketplace Integrity and Affordability Final Rule Fact Sheet.

Please note, given the temporary nature of some of these provisions, CMS may revisit the policies to determine if an extension is necessary in future rulemaking. Ambetter Health will update this information to reflect any future changes.

Member and Broker Impact

OPEN ENROLLMENT PERIOD (OEP)

Standardizing the Annual OEP for Individual Market Coverage (Shortened OEP)

The 2026 OEP for the Federally-facilitated Exchanges (FFEs) and State-based Exchanges on the Federal Platform (SBE-FPs) is Nov. 1, 2025, through Jan. 15, 2026. Members, new and renewing, must complete their 2026 plan enrollment by Jan. 15, 2026.

OEP dates for State-based Exchanges (SBEs) may vary.

Beginning with the 2027 OEP, applicable to on- and off-Exchange enrollment:

- FFE and SBE-FPs, the OEP will run Nov. 1, through Dec. 15.
- SBEs are provided with the flexibility to adjust OEP dates within the following parameters:
  - Exchanges may adopt any start date on or before Nov. 1, and may adopt an end date as late as Dec. 31.
  - OEP must be limited to a maximum of nine weeks in duration.
- All plan selections must be effective Jan. 1, of the plan year (PY).

SPECIAL ENROLLMENT PERIOD (SEP)

Low Income SEP

Beginning August 25, 2025, members at or below 150% FPL will no longer have the ability to change plans and/or issuers monthly, across all Exchanges. Members will need to enroll during the annual OEP and could make a plan change during the plan year if they experience a qualifying life event, which gives them a SEP.

Note: this does not impact the monthly SEP for members of federally recognized tribes.

Learn more about qualifying life events.

INCOME VERIFICATION

Income Verification When Data Sources Indicate Household Income Less than 100% of the FPL

Beginning Aug. 25, 2025, all Exchanges are required to generate annual income Data Matching Issues (DMIs) in circumstances when applicants report a household income above 100% FPL, but federal data sources show annual income less than 100% FPL. This policy will conclude on Dec. 1, 2026.

60-Day Extension to Resolve DMIs

Beginning Aug. 25, 2025, the automatic 60-day extension has been removed for members to resolve a DMI(s). Consumers can still request a 60-day extension if they demonstrate that a good faith effort has been made to obtain the required documentation during the 90-day period.

Marketplaces Conducting Eligibility Verification for 75% of New Enrollments through SEPs

Beginning with PY2026, FFEs and SBE-FPs will verify at least 75% of new SEP enrollments for those not already enrolled in Exchange coverage. If eligibility cannot be verified, the Exchange must terminate enrollment or cancel the pended plan selection, depending on the verification process. This policy will conclude on Dec. 31, 2026.

PREMIUM PAYMENTS

Enhanced Premium Tax Credits (eAPTCs)

The eAPTCs expire Dec. 31, 2025. Marketplace members will no longer receive eAPTCs in PY2026, which could result in an increase of their 2026 monthly premium payments.

Please note: The expiring eAPTCs where made available through the American Rescue Plan (ARP). The APTCs as part of the Affordable Care Act remain in place.

ELIGIBILITY AND COVERAGE

Re-enrollment Hierarchy Standards (Bronze to Silver Crosswalk)

Beginning PY2026, the bronze to silver crosswalk policy is rescinded. Exchanges can no longer re-enroll CSR-eligible bronze QHP members in an equivalent silver QHP. Exchanges are still required to account for the same network when re-enrolling consumers whose current year's plans are no longer available. SBEs can use an existing process to seek CMS approval to apply alternative procedures for automatic re-enrollment.

Affirming Previous Interpretation of “Lawfully Present” Definition (Deferred Action for Childhood Arrivals-DACA)

Beginning Aug. 25, 2025, DACA recipients are excluded from the definition of "lawfully present" for purposes of QHP enrollment, APTC and CSR eligibility, and Basic Health Program coverage.

Prohibiting Coverage of Specified Sex-trait Modification Procedures as an EHB (Gender Affirming Care)

Beginning with PY2026, issuers subject to Essential Health Benefit (EHB) requirements are prohibited from covering specified sex-trait modification procedures as EHB.

AGENTS, BROKERS AND WEB-BROKERS

Evidentiary Standard for Termination of Agent, Broker and Web-Broker Exchange Agreements for Cause

Beginning August 25, 2025, CMS will apply a "preponderance of the evidence" standard of proof to assess potential noncompliance and make a determination for termination for cause.

CMS defines "preponderance of the evidence" to mean proof by evidence that, compared with evidence opposing it, leads to the conclusion that the fact at issue is more likely true than not.

CMS Consent Documentation Requirements (Sept 2024)

Agents, brokers and web-brokers are required to document the receipt of consent from the consumer or their authorized representative.

- The consumer or their authorized representative must take an action to produce the documentation
- The documentation must contain, at a minimum, the following information:
  - A description of the scope, purpose, and duration of the consent provided by the consumer or their authorized representative;
  - The date the consent was given;
  - The name of the consumer or their authorized representative;
  - The name of the agent, broker, web-broker, or agency being granted consent;
  - A process through which the consumer or their authorized representative may rescind the consent.
- The agent, broker, or web-broker must maintain the documentation for a minimum of 10 years.

Marketplace Rules on Pause

On Friday, Aug. 22, 2025, the federal District Court of Maryland issued a stay in the City of Columbus et al. v. Kennedy et al. case. The stay impacts the 2025 Marketplace Integrity and Affordability Final Rule, and some provisions are currently paused.

We'll keep brokers updated as the case proceeds through the courts and how it may impact the 2026 OEP.

The following provisions are currently PAUSED:

INCOME VERIFICATION

Income Verification When Tax Data is Unavailable

Exchanges can no longer accept a consumer's self-attestation of projected annual household income when the IRS cannot verify it due to lack of tax return data. Instead, Exchanges must verify household income using other trusted data sources[1] and follow the full alternative verification process. This policy will conclude on Dec. 31, 2026.

Failure to File and Reconcile (FTR)

All Exchanges are required to deem enrollees ineligible for APTC after one tax year of FTR status, instead of the current two year flexibility.

All Marketplaces Conducting Eligibility Verification for SEPs

Pre-enrollment verifications have been reinstated for all categories of SEPs in FFE and SBE-FPs.

[1](1) Information related to wages, net earnings from self-employment, unearned income and resources from the State Wage Information Collection Agency (SWICA), the Internal Revenue Service (IRS), the Social Security Administration (SSA), the agencies administering the State unemployment compensation laws, the State-administered supplementary payment programs under section 1616(a) of the Act, and any State program administered under a plan approved under Titles I, X, XIV, or XVI of the Act; and (2) Information related to eligibility or enrollment from the Supplemental Nutrition Assistance Program, the State program funded under part A of title IV of the Act, and other insurance affordability programs. Source: https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-C/part-435/subpart-J/subject-group-ECFRc649656b2ed45a8/section-435.948#p-435.948(a)

PREMIUM PAYMENTS

Requiring $5 Premium Responsibility

Members currently enrolled in a fully subsidized 2025 plan on either the FFE or SBE-FP will be re-enrolled into the same plan with a $5 monthly premium responsibility until they update their application to confirm Advanced Premium Tax Credit (APTC) eligibility and re-confirm their plan selection.

Members are able to update their application at any point to confirm their APTC eligibility and plan selection to reinstate the full APTC amount that the member is eligible for on a prospective basis. If the member remains eligible for a $0 premium after APTC is applied, the $5 monthly premium bill will be eliminated.

A re-enrolling member who continues to be eligible for a $0 premium must submit their application for updated eligibility determination and re-confirm plan selection by Dec. 15 (last day to enroll in a plan with a Jan. 1 effective date) to avoid a $5 January premium payment.

Satisfaction of Debt for Past-due Premiums

Consistent with applicable state law, issuers will be allowed to attribute a premium payment for new coverage to past-due premiums owed for coverage under the same issuer before effectuating enrollment for the new policy. Issuers are not permitted to apply this policy to anyone not contractually obligated to pay the premium (i.e., policyholders).

Enrollment Documentation

HOUSEHOLD INCOME

Below is a list of documents your clients can submit to verify their Household Income.

Important Note: Exchanges can no longer accept a consumer's self-attestation of projected annual household income when the IRS confirms there is no tax return data available to verify the projected income.

- **1040 federal or state tax return.** Must contain your first and last name, income amount, and tax year. If you file Schedule 1, you must submit it with your 1040.
- **Wages and tax statement** (W-2 and/or 1099, including 1099 MISC, 1099G, 1099R, 1099SSA, 1099DIV, 1099SS, 1099INT). Must contain your first and last name, income amount, tax year, and employer name (if applicable).
- **Pay stub.** Must contain your first and last name, income amount, and pay period or frequency of pay with the date of payment. If a pay stub includes overtime, tell the Marketplace an average overtime amount per paycheck.
- **Self-employment ledger documentation** (can be a Schedule C, the most recent quarterly or year-to-date profit and loss statement, or a self-employment ledger). Must contain your first and last name, company name, and income amount. If you're submitting a self-employment ledger, include the dates covered by the ledger, and the net income from profit/loss.
- **Social Security Administration Statements** (Social Security Benefits Letter). Must contain first and last name, benefit amount, and frequency of pay.
- **Unemployment Benefits Letter.** Must contain your first and last name, source/agency, benefits amount, and duration (start and end date, if applicable).
- Or, complete a written explanation form. To submit this form, select "Other" from the drop-down menu when you're on the upload screen in the application.

Has your household income changed since you submitted your application? If so, it's important to report this change to the Marketplace right away. Learn how to report a life change.

Documents to Confirm Self-Employment Income

- 1040 SE with Schedule C, F, or SE (for self-employment income)
- 1065 Schedule K1 with Schedule E
- Tax return
- Bookkeeping records
- Receipts for all allowable expenses
- Signed time sheets and receipt of payroll, if you have employees
- Most recent quarterly or year-to-date profit and loss statement
- Or, complete a written explanation form. To submit this form, select "Other" from the drop-down menu when you're on the upload screen in the application.

Documents to Confirm Unearned Income

- Annuity statement
- Statement of pension distribution from any government or private source
- Worker's compensation letter
- Prizes, settlements, and awards, including court-ordered awards letter
- Proof of gifts and contributions
- Proof of inheritances in cash or property
- Proof of strike pay and other benefits from unions
- Sales receipts or other proof of money received from the sale, exchange, or replacement of things you own
- Interests and dividends income statement
- Loan statement showing loan proceeds
- Royalty income statement or 1099-MISC
- Proof of bonus/incentive payments
- Proof of severance pay
- Pay stub indicating sick pay
- Letter, deposit, or other proof of deferred compensation payments
- Pay stub indicating substitute/assistant pay
- Pay stub indicating vacation pay
- Proof of residuals
- Letter, deposit, or other proof of travel/business reimbursement pay
- Or, complete a written explanation form. To submit this form, select "Other" from the drop-down menu when you're on the upload screen in the application.

Get more details for other income situations.

IMMIGRATION STATUS

Below is a list of documents your clients can submit to verify their immigration status.

- Permanent Resident Card, "Green Card" (I-551)
- Reentry Permit (I-327)
- Refugee Travel Document (I-571)
- Employment Authorization Card (I-766)
- Machine Readable Immigrant Visa (with temporary I-551 language)
- Temporary I-551 Stamp (on Passport or I-94/I-94A)
- Foreign passport
- Arrival/Departure Record (I-94/I-94A)
- Arrival/Departure Record in foreign passport (I-94)
- Certificate of Eligibility for Nonimmigrant Student Status (I-20)
- Certificate of Eligibility for Exchange Visitor Status (DS-2019)
- Notice of Action (I-797)
- Document indicating a member of a federally recognized Indian tribe or American Indian born in Canada
- Certification from U.S. Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR)
- Document indicating withholding of removal (or withholding of deportation)
- Office of Refugee Resettlement (ORR) eligibility letter (if under 18)
- USCIS Acknowledgment of Receipt (I-797C)

US CITIZENSHIP

Below is a list of documents your clients can submit to verify their U.S. Citizenship.

- U.S. passport
- Certificate of Naturalization (N-550/N-570)
- Certificate of Citizenship (N-560/N-561)
- State-issued enhanced driver's license (available in Michigan, New York, Vermont, and Washington)
- Document from federally recognized Indian tribe that includes your name and the name of the federally recognized Indian tribe that issued the document, and shows your membership, enrollment, or affiliation with the tribe. Documents you can provide include:
  - A tribal enrollment card
  - A Certificate of Degree of Indian Blood
  - A tribal census document
  - Documents on tribal letterhead signed by a tribal official

If you don't have any of the documents above, you can submit 2 documents — one from each list below.

You can submit one of these documents:

- U.S. public birth certificate
- Consular Report of Birth Abroad (FS-240, CRBA)
- Certification of Report of Birth (DS-1350)
- Certification of Birth Abroad (FS-545)
- U.S. Citizen Identification Card (I-197 or the prior version I-179)
- Northern Mariana Card (I-873)
- Final adoption decree showing the person's name and U.S. place of birth
- U.S. Civil Service Employment Record showing employment before June 1, 1976

- Military record showing a U.S. place of birth
- U.S. medical record from a clinic, hospital, physician, midwife, or institution showing a U.S. place of birth
- U.S. life, health, or other insurance record showing U.S. place of birth
- Religious record showing U.S. place of birth recorded in the U.S.
- School record showing the child's name and U.S. place of birth
- Federal or state census record showing U.S. citizenship or U.S. place of birth
- Documentation of a foreign-born adopted child who received automatic U.S. citizenship (IR3 or IH3)

AND one of these documents (that has a photograph or other information, like your name, age, race, height, weight, eye color, or address):

- Driver's license issued by a state or territory or ID card issued by the federal, state, or local government
- School identification card
- U.S. military card or draft record or military dependent's identification card
- U.S. Coast Guard Merchant Mariner card
- Voter Registration Card
- A clinic, doctor, hospital, or school record, including preschool or day care records (for children under age 19)
- 2 documents containing consistent information that proves your identity, like employer IDs, high school and college diplomas, marriage certificates, divorce decrees, property deeds, or titles

AMERICAN INDIAN OR ALASKA NATIVE STATUS

Below is a list of documents your clients can submit to verify their American Indian or Alaska Native status.

- Tribal Enrollment/Membership card from a federally recognized tribe
- Document issued by Bureau of Indian Affairs (BIA) recognizing you as American Indian/Alaska Native
- Authentic document from a federally recognized tribe declaring your membership
- Certificate of Degree of Indian Blood
- Certificate of Indian status card
- I-872 American Indian Card (Texas and Oklahoma Kickapoo American and Mexican members)
- Document issued by Indian Health Service (IHS) showing that you were/are eligible for IHS services as an American Indian/Alaska Native
- U.S. American Indian/Alaska Native tribal enrollment or shareholder documentation
- Letter from the Marketplace granting a tribal exemption based on tribal membership or Alaska Native shareholder status

https://www.healthcare.gov/help/how-do-i-resolve-an-inconsistency/

Frequently Asked Questions

How much time do members have to enroll in a 2026 Marketplace plan?

The 2026 Open Enrollment Period is Nov. 1, 2025, through Jan. 15, 2026. OEP dates for SBEs may vary.

Are eAPTCs being extended?

No. The eAPTCs expire Dec. 31, 2025. Marketplace members will no longer receive eAPTCs in PY2026, which could result in an increase of their 2026 monthly premium payments.

Note: The APTCs as part of the Affordable Care Act remain in place.

Which members will be subject to the $5 premium payment?

Members currently enrolled in a fully subsidized 2025 plan, who continue to be eligible for a $0 premium in 2026, will be re-enrolled into the same plan with a $5 monthly premium until they update their application to confirm APTC eligibility and re-confirm their plan selection.

Can members verify their annual household income by self-attestation?

No. Exchanges can no longer accept a consumer's self-attestation of projected annual household income when the IRS confirms there is no tax return data available to verify the projected income. Documentation sources for household income include but are not limited to wages and tax statement (W-2 and/or 1099), pay stub or Social Security Administration Statements. Get more details for other income situations.

Who's considered "lawfully present" on the Health Insurance Marketplace?

For PY2026, lawfully present immigrants can get Marketplace coverage and may qualify for premium tax credits and other savings on Marketplace plans. The term "lawfully present" includes immigrants who are:

- Lawful permanent residents or green card holders
- Individuals fleeing persecution, including asylees and refugees
- Victims of domestic violence and trafficking
- Cuban/Haitian entrant
- Member of a federally recognized Indian tribe or American Indian born in Canada
- Individuals with a valid non-immigrant visa (e.g.- work visa, student visa)

For a full list of immigration statuses eligible for Marketplace coverage visit https://www.healthcare.gov/immigrants/immigration-status/

Beginning Aug. 25, 2025, DACA recipients are excluded from the definition of "lawfully present" and are not eligible for Marketplace coverage.

Are DACA recipients eligible for coverage on the Marketplaces?

No. Beginning Aug. 25, 2025, DACA recipients are excluded from the definition of “lawfully present” and are not eligible for Marketplace coverage, APTCs and CSRs.

How often do members have to file a tax return to keep their APTC?

Members are now required to file their taxes and reconcile their APTC each year. If they don’t file their taxes, they’ll become ineligible for APTCs. If APTC eligibility is lost, CSR eligibility is also lost.

Is the APTC Repayment Cap changing?

Yes. Effective in 2026, the APTC repayment cap is eliminated. Instead, all members receiving premium tax credits will now be required to repay the full amount of any excess tax credits to the IRS. Note this provision takes effect for APTCs received in 2026, but will not be felt by members until they reconcile APTCs in 2027.

Will my clients below 150% FPL still be able to change plans monthly?

No. Beginning August 25, 2025, members at or below 150% FPL will no longer have the ability to change plans and/or issuers monthly, across all Exchanges. They'll need to enroll during the annual OEP and could make a plan change during the plan year if they experience a qualifying life event, which gives them a SEP.

Note: this does not impact the monthly SEP for members of federally recognized tribes.