



March 23, 2023

The Honorable Christopher R. Nicolopoulos
Commissioner of Insurance
New Hampshire Insurance Department
21 S. Fruit Street, Suite 14
Concord, NH 03301-2430

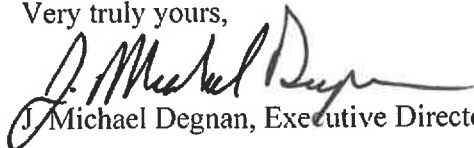
Re: Fourth Amendment to the NHHP Plan of Operations and Termination

Dear Commissioner Nicolopoulos:

At the New Hampshire Health Plan (NHHP) board meeting on Thursday March 23, 2023, the NHHP Board voted unanimously to approve the attached Fourth Amendment to the Plan of Operations and Termination and directed me to forward it to you for your approval.

This modification to the Plan of Operations will allow for a single payment to the participating carriers in the Reinsurance Program rather than two annual payments. Based on the negligible adjustments resulting from, and the significant administrative burden to NHHP and its members imposed by, the supplemental claims submission process, the NHHP Board is adopting this Fourth Amendment to the Current Restated Plan to eliminate the supplemental claims process from the Reinsurance Program Plan of Operation. This modification was also approved by the participating carriers in our Actuarial Work Group sessions.

Very truly yours,


J. Michael Degnan, Executive Director

Enclosure:

c/o Helms & Company, Inc. ❖ 1 Pillsbury Street, Suite 200 ❖ Concord, NH 03301-3570

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**FOURTH AMENDMENT
To
AMENDED AND RESTATED PLAN OF OPERATION AND TERMINATION
Of
NEW HAMPSHIRE HEALTH PLAN**

(Reinsurance Program Plan of Operation)

This FOURTH AMENDMENT TO AMENDED AND RESTATED PLAN OF OPERATION AND TERMINATION (the "*Fourth Amendment*") is adopted by the Board of Directors (the "*Board*") of the **New Hampshire Individual Health Plan Benefit Association, doing business as "New Hampshire Health Plan" ("NHHP")**, and is being submitted to the New Hampshire Insurance Commissioner (the "*Insurance Commissioner*") for approval.

Factual Background:

A. On March 11, 2020, the NHHP Board adopted a Second Amendment to its Amended and Restated Plan of Operation and Termination (the "*Second Amendment*") pursuant to an Order of the Insurance Commissioner, dated February 25, 2020, establishing the operational details for NHHP's implementation of the reinsurance risk-sharing mechanism, known as the New Hampshire Reinsurance Program (the "*Reinsurance Program Plan of Operation*").

B. Pursuant to a Supplemental Order of the Commissioner dated September 30, 2020, the NHHP Board adopted a Third Amendment to its Amended and Restated Plan of Operation and Termination effective October 20, 2020 (the "*Third Amendment*") (as amended by the Second and Third Amendments, the "*Current Restated Plan*") to reflect, among other things, NHHP's receipt of the federal grant monies issued under the State of New Hampshire's approved application for a so-called State Relief and Empowerment Waiver under Section 1332 of the Affordable Care Act.

C. The Reinsurance Program began operations on January 1, 2021. As contemplated by the Reinsurance Program Plan of Operation, NHHP has evaluated the operation of the Reinsurance Program following its first full year of operation. Based on the negligible adjustments resulting from, and the significant administrative burden to NHHP and its members imposed by, the supplemental claims submission process, the NHHP Board is adopting this Fourth Amendment to the Current Restated Plan to

eliminate the supplemental claims process from the Reinsurance Program Plan of Operation.

Terms of Fourth Amendment:

NHHP adopts the following Fourth Amendment to its Current Restated Plan:

1. Defined Terms. Any capitalized terms used but not defined in this Fourth Amendment will have the meaning ascribed to them by the Current Restated Plan. From and after the effective date of this Fourth Amendment, the term "Restated Plan" will mean the Current Restated Plan as amended by this Fourth Amendment.

2. Program Payment Allocation Process. Attachment 2 to the Reinsurance Program Plan of Operation is hereby amended by deleting it in full and replacing it with the attached Attachment 2.

3. Reaffirmation of Remaining Terms of Restated Plan. The remaining terms of the Restated Plan which are not affected by this Fourth Amendment remain in full force and effect.

4. Effective Date. This Fourth Amendment will become effective upon its approval by the New Hampshire Insurance Commissioner (the "Effective Date").

APPROVAL OF NEW HAMPSHIRE INSURANCE COMMISSIONER

The foregoing Fourth Amendment to the Amended and Restated Plan of Operation and Termination adopted by the Board of Directors of the New Hampshire Individual Health Plan Benefit Association, d/b/a New Hampshire Health Plan, is hereby approved.

DATE: March 27, 2023


Christopher R. Nicolopoulos, Commissioner

ATTACHMENT 2

REINSURANCE PROGRAM PAYMENT REQUEST PROCESS AND APPEALS PROCEDURES

- A. Each Eligible Entity will submit its EDGE Server Data as required by applicable law or regulation.
- B. NHHP will calculate payment allocations for each Eligible Entity participating in the Reinsurance Program using EDGE Server Data (each a "Payment Allocation").
- C. On or before August 1, NHHP will make a final payment determination based on the Payment Allocation and make a final payment to each Eligible Entity, subject to the adjustments contemplated under Sections IV(E)(3) and IV(G) of the Plan of Operation.
- D. An Eligible Entity can appeal this final payment determination to the New Hampshire Insurance Commissioner.