



Understanding the New CMS Rules for PY26: A Broker's Guide



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Key Provisions You Should Know

The Centers for Medicare & Medicaid Services (CMS) has issued new rules for Plan Year 2026 (PY26) in the ACA Marketplace. This brief guide highlights what brokers need to know – key changes, common questions, and recommended next steps to stay informed and compliant.

Provision	What You Should Know	What You Should Consider
Provisions to Consider for OE26		
Enhanced subsidy expiration	<p>Premiums are projected to increase.</p> <p>Enrollees with incomes slightly above 400% of the federal poverty level (FPL) could face a “subsidy cliff,” where they lose their subsidies and must pay the full price of a Marketplace plan.</p> <p>Consumers who qualify for a \$0 premium plans today may be expected to pay some premium.</p>	<p>Set expectations for members around subsidy reductions and corresponding increases in member share of premium owed.</p> <p>For members with little to no subsidy in OE26, consider off-exchange plan options.</p> <p>For especially premium sensitive members, consider UHC’s Bronze Essential plan, or Copay Focus plans for cost certainty related to care.</p>
Increased penalties for applicants reporting income above 100% FPL, who ultimately earn less	<p>Members with annual income below 100% of the Federal Poverty Level may be required to pay back the subsidy in full if the final year income falls too low. This could mean thousands of dollars in tax penalties for households below the federal poverty line.</p>	<p>Educate members on the increased risk in 2026 if their income lands below the federal poverty line. Individuals uncertain of their 2026 income are advised to consult with a tax advisor.</p>
Removal of the automatic 60 day extension, in addition to the 90 day period to provide income verification documents	<p>CMS has discontinued the automatic 60-day extension currently granted in addition to the standard 90-day period for resolving income-related Data Matching Issues (DMIs). Under this change, enrollees will have a single 90-day window – beginning upon receipt of the temporary eligibility notice, typically at the time of enrollment – to submit required income verification documents. This reduces the total timeframe from 150 days to 90 days and represents a return to prior ACA policy.</p>	<p>Remind members of the types of documents that may be required to resolve income-related Data Matching Issues (DMIs). Given the shortened 90-day timeframe to submit verification, members should be encouraged to gather and organize necessary documentation in advance, ideally before the start of OEP.</p>

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Eliminate the monthly Special Enrollment Period (SEP) for members with incomes at or below 150% FPL	<ul style="list-style-type: none">Members with income ≤150% of the Federal Poverty Level (FPL) will no longer be able to switch plans or carriers on a monthly basis. Members that meet standards for other qualifying life events would still be eligible for other SEPs.To get or keep coverage, these members must enroll during the annual Open Enrollment Period (OEP).	Encourage individuals to enroll in an ACA plan starting November 1st. Emphasize that if they miss the OEP deadline, they won't have access to the monthly SEP anymore.
Health coverage for lawfully present immigrants making below the federal poverty level	Lawfully present immigrants with income below 100% of the federal poverty level (FPL) who are ineligible for Medicaid due to their immigration status—including those in their first five years of U.S. residency—will no longer be eligible for premium tax credits under the Affordable Care Act (ACA).	<p>Immigrants affected include refugees, asylees, Temporary Protected Status recipients, and victims of trafficking, among others. These groups were previously eligible for PTCs but lose access if their income falls below 100% of FPL beginning January 1, 2026 under the One Big Beautiful Bill Act. Without subsidies, many may be unable to afford Marketplace coverage.</p> <p>It is important to educate any lawfully present immigrants about these regulatory changes. They will have to pay the full premium, no matter which ACA plan they enroll in. While this currently only affects lawfully present immigrants under 100% of FPL, beginning in 2027, additional lawfully present immigrants will lose access to premium tax credits, irrespective of income level.</p>



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