



**RULE Adopted by HHS Center for Medicare and Medicaid Services
“Patient Protection and Affordable Care Act; Marketplace Integrity & Affordability Rule”**

*Provisions stayed by injunction in [City of Columbus v. Kennedy](#)

Effective August 2025

- Deems DACA recipients ineligible for Marketplace coverage (although DACA recipients were already barred from enrolling in Marketplace coverage in 19 states, including Florida, due to a [court order](#))
- Eliminates existing Special Enrollment Period (SEP) for individuals with income below 150% of FPL, and prohibits any new SEP based solely upon income
- Eliminates automatic 60-day extension to standard 90-day period resolve data matching issues
- Requires HHS to apply “preponderance of evidence” standard when evaluating whether agents/brokers improperly enrolled an individual
- *Permits an insurer to deny enrollment to individuals with unpaid premiums due to the insurer from previous years
- *Requires income verification from consumers who attest to income above 100% FPL if trusted data sources indicate income is below that threshold.

Effective Plan Year 2026

- Eliminates bronze-to-silver auto reenrollment for individuals entitled to Cost Savings Reductions (CSRs) (PY 2026 only)
- Prohibits gender-affirming care from being included as an essential health benefit
- Makes technical changes that will reduce the size of premium tax credits and increase cost-sharing (by raising the out-of-pocket maximums)
- *Charges \$5 /month penalty for people enrolled in plans with a \$0 net premium who do not actively reenroll (PY 2026 only)
- *Imposes new pre-enrollment verification requirements for enrollment during a SEP based upon loss of coverage, marriage, birth, change of residency (PY 2026 only)
- *Lowers actuarial value standards to allow insurers to offer less generous coverage
- *Deems individuals ineligible for premium tax credits if they did not file taxes or reconcile their premium tax credits in the previous two years (PY 2026 only)

Effective Plan Year 2027

- Mandates shorter open enrollment period for plan year 2027 and beyond, from November 1st through December 15th (instead of January 15th)



BUDGET RECONCILIATION BILL PASSED BY CONGRESS (H.R. 1)

Effective Plan Year 2026

Subject	Previous Law	Change in Law
<p>Enhanced Premium Tax Credits (not extended in H.R. 1)</p>	<p>Eligible individuals may receive premium tax credits (PTCs) to subsidize the cost associated with enrolling in specified health plans offered through health insurance exchanges. As part of the American Rescue Plan Act of 2020, Congress increased PTCs for individuals with income 100-150% of FPL, and offered PTCs for the first time to individuals with income over 400% of FPL. In 2022, Congress extended these enhanced PTCs through December 31, 2025 as part of the Inflation Reduction Act.</p>	<p>Although an amendment was proposed to extend the enhanced PTCs during the debates over H.R. 1, the amendment was not adopted. Therefore, the enhanced PTCs are scheduled to expire December 31, 2025.</p>
<p>Elimination of Premium Tax Credits for Low-Income Individuals Enrolled During Special Enrollment Period (s. 71304)</p>	<p>Generally, individuals may enroll in Marketplace plans only during an open enrollment period or a Special Enrollment Period (SEP) if they experience circumstances specified in regulations. Such circumstances may involve a change in income, family composition, employment, access to subsidized health benefits or other changes.</p> <p>Individuals with income below 150% of FPL are permitted to enroll in a Marketplace plan year-round through a SEP based upon income level. These individuals are eligible for PTCs and CSRs.</p>	<p>Eliminates availability of PTCs for individuals who enroll during a SEP based upon the individual’s income as a percentage of FPL and not in connection with a qualifying event or change in circumstances.</p> <p>Effective applicable to plan years beginning after December 31, 2025.</p>
<p>Repayment of Advanced Premium Tax Credits (s. 71305)</p>	<p>Individuals may receive advanced premium tax credits (APTCs) based on their estimated annual income. The APTCs are reconciled during annual income tax returns based on actual income. Enrollees must pay back excess APTCs, with caps for individuals with incomes below 400 percent of FPL.</p>	<p>Removes caps on the amount of excess APTCs that must be repaid, requiring taxpayers at all income levels to repay the full amount of any excess credits received.</p> <p>The only exception is individuals with estimated annual income at or above 100 percent of FPL that received an APTC, but whose actual income is less than 100 percent of FPL. These individuals would not be required to return excess payments unless it is determined the individual provided incorrect information intentionally or with reckless disregard for the facts.</p> <p>Effective Jan. 2026 (applies to Plan Year 2026 plans, which will be reconciled when filing income taxes in 2027)</p>



BUDGET RECONCILIATION BILL PASSED BY CONGRESS (H.R. 1)

Effective Plan Year 2026

Subject	Previous Law	Change in Law
<p>Eligibility of Non-Citizens for Premium Tax Credits (s. 71302)</p>	<p>“Lawfully present” immigrants with annual incomes below 100% of FPL who are not eligible for Medicaid due to their immigration status are eligible for PTCs.</p>	<p>Eliminates PTC eligibility for immigrants below 100% of FPL who are in the “5-year bar” period – individuals who are lawfully present, but ineligible for Medicaid during the first 5 years of their stay.</p> <p>Effective Jan. 2026</p>
<p>Availability of Health Savings Plans (s. 71307)</p>	<p>Marketplace plans are classified into “metal levels”: Bronze, Silver, Gold, and Platinum. If the consumer’s income is below 250% FPL, the consumer qualifies for cost sharing reductions (CSRs) in a Silver plan. The consumer’s estimated share per plan type is: Bronze-40%; Silver-30%; Silver with CSR 6-27%; Gold-20%; Platinum-10%.</p> <p>Catastrophic plans are a 5th category available to people under 30 and some people with limited incomes.</p> <p>Individuals who enroll in certain Bronze plans with high deductibles and no coverage for preventive services may also open a Health Saving Account (HSA), which allows funds to be saved and withdrawn tax-free for qualified medical expenses.</p>	<p>Allows any Bronze or Catastrophic Marketplace plan, regardless of the deductible amount or coverage of preventive services, to be treated as a high-deductible plan that can be paired with a health savings account. This will likely encourage the growth of high-deductible health plans and benefit individuals who can afford to save.</p> <p>Effective Jan. 2026</p>

Effective Plan Year 2027

<p>Immigrant Eligibility for Premium Tax Credits (s. 71301)</p>	<p>Immigrants who are “lawfully present” are eligible for Marketplace coverage and PTCs. This does not include immigrants who are undocumented.</p>	<p>Amends the categories of immigrants eligible for PTCs to include only: (1) Lawful Permanent Residents (“green card” holders); (2) Cuban and Haitian entrants; and (3) individuals from the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, living in the U.S. through a Compact of Free Association (CoFA).</p> <p>Categories of non-citizens no longer eligible are individuals with Temporary Protected Status (TPS), refugees, parolees, asylees, battered family members, trafficking survivors and family members, Iraq/Afghan special immigrant visas, tribe members, and many others.</p> <p>Effective Jan. 2027</p>
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BUDGET RECONCILIATION BILL PASSED BY CONGRESS (H.R. 1)

Effective Plan Year 2028

Subject	Previous Law	Change in Law
<p>Pre-Enrollment Proof of Eligibility for PTCs (s. 71303)</p>	<p>Consumers can provisionally enroll in a Health Insurance Marketplace plan with APTCs and CSRs the month following their application based on information they attested to on their application. If the income amount on the application does not match the income reported from trusted data sources (e.g. IRS, SSA, Equifax), consumers have 90 days from the eligibility decision to send documentation of the information on their application. If the Marketplace can't verify the consumer's expected annual household income after the 90 days, they may lose some or all of their financial assistance.</p> <p>Returning enrollees who take no action during open enrollment are auto-enrolled into the same or a similar plan.</p> <p>Enrollees must file income taxes and reconcile PTCs every two years. Failure to do so leads to ineligibility for PTCs.</p>	<p>Requires the Health Insurance Marketplace to institute stricter eligibility verification processes (requiring proof of income, immigration status, insurance status, place of residence, family size, etc.) for everyone who applies for new or renewed coverage.</p> <p>Eliminates provisional eligibility for APTCs while applicants are awaiting eligibility determinations, requiring consumers to pay the full, unsubsidized premiums for weeks or months while their applications are being verified.</p> <p>Eliminates automatic re-enrollment; all individuals must re-verify eligibility annually in order for coverage to continue.</p> <p>The Secretary may waive the verification requirement for an individual who enrolls in an exchange plan during a SEP due to a change in family size.</p> <p>Requires enrollees to reconcile PTCs every year, or become ineligible for PTCs.</p> <p>Effective Jan. 2028</p>

Sources:

Center for Policy and Budget, [Changes Coming to ACA Marketplace Policies](#) (July 2025)

Georgetown Center for Children & Families, [Medicaid, CHIP, and Affordable Care Act Marketplace Cuts and Other Health Provisions in the Budget Reconciliation Law, Explained](#) (updated Aug. 11, 2025)

KFF, [Health Provisions in the 2025 Federal Budget Reconciliation Bill](#) (updated July 8, 2025)

National Health Law Program, [Budget Reconciliation Act Implementation Dates For Select Medicaid & Health Provisions](#) (Aug. 13, 2025)