

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MANHATTANLIFE INSURANCE AND ANNUITY
COMPANY, PASCHALL AND ASSOCIATES, INC.,
and WILLIAM C. PASCHALL,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES, DEPARTMENT OF THE
TREASURY, DEPARTMENT OF LABOR, XAVIER
BECERRA *in his official capacity as Secretary
of Health and Human Services*, JANET
YELLEN *in her official capacity as Secretary
of the Treasury*, and JULIE A. SU *in her official
capacity as Acting Secretary of Labor*,

Defendants.

Civil Action No. 6:24-cv-00178-JCB

NOTICE OF SERVICE OF ADMINISTRATIVE RECORD

The certification and index of the administrative record in this case are attached as exhibits to this notice. A full copy of the record has been served on Plaintiffs' counsel by file-sharing service, pursuant to an agreement between the parties.

Respectfully submitted,

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Date: August 30, 2024

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
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MANHATTANLIFE INSURANCE AND
ANNUITY COMPANY, *et al.*,

Plaintiffs,

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UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, *et al.*,

Defendants.

No. 6:24-cv-00178-JCB

CERTIFICATION OF THE RULEMAKING RECORD

I, Martique S. Jones, Director of the Regulations Development Group, a component of the Office of Strategic Operations and Regulatory Affairs, Centers for Medicare & Medicaid Services, United States Department of Health and Human Services, certify that, to the best of my knowledge, the attached index lists the materials that comprise the complete administrative record of the rulemaking proceedings for the Short-Term, Limited-Duration Insurance and Independent, Noncoordinated Excepted Benefits Coverage; Final Rules, 89 Fed. Reg. 23,338 (Apr. 3, 2024).

Executed this twenty-ninth day of August, 2024, in Baltimore, Maryland.

Martique S. Jones, Director
Regulations Development Group
Office of Strategic Operations and Regulatory Affairs
Centers for Medicare & Medicaid Services
United States Department of Health and Human Services

INDEX TO THE RULEMAKING RECORD FOR

ManhattanLife Ins. & Annuity Co. v. HHS, No. 6:24-00178-JCB (E.D. Tex.)

A. Federal Register Documents and Public Comments

1. Short-Term, Limited-Duration Insurance; Independent, Noncoordinated Excepted Benefits Coverage; Level-Funded Plan Arrangements; and Tax Treatment of Certain Accident and Health Insurance; Proposed Rules, 88 Fed. Reg. 44, 96 (proposed July 23, 2023) Bates: 000001 - 000063
2. Public Comments Bates: 000064 - 023784
3. Short-Term, Limited-Duration Insurance and Independent, Noncoordinated Excepted Benefits Coverage; Final Rules, 89 Fed. Reg. 23,338 (Apr. 3, 2024) Bates: 02378 - 023868

B. Materials Considered

1. Jost, Timothy (2017). ACA Round-Up: Market Stabilization, Fixed Indemnity Plans, Cost Sharing Reductions, and Penalty Updates, Health Affairs Bates: 023869 - 023874
2. AHIP (2019). Supplemental Health Insurance: Hospital or Other Fixed Indemnity, Accident-Only, Critical Illness Bates: 02387 - 023876
3. Young, Christen Linke and Kathleen Hannick (2020). Fixed Indemnity Coverage is a Problematic Form of Junk Insurance, U.S.C.-Brookings Schaeffer Initiative for Health Policy Bates: 023877 - 023894
4. Frequently Asked Questions about Affordable Care Act Implementation (Part I) (Jan. 24, 2013) Bates: 02389 - 023903
5. Frequently Asked Questions about Affordable Care Act Implementation (Part VIII) and Mental Health Parity Implementation (Jan. 9, 2014) Bates: 023904 - 023916
6. National Association of Insurance Commissioners (2013). Letter to Secretaries of Labor, Treasury, and Health and Human Services Bates: 023917 - 023918
7. Healthinsurance.org (2023). Glossary: What is a Critical Illness Plan Bates: 023919 - 023924

8. American Council of Life Insurers (2021). Model 171 Benefits Overview: Presented to the NAIC Accident and Sickness Minimum Standards (B) Subgroup Bates: 02392 - 023947
9. Centers for Medicare & Medicaid Services (2018). Trends in Subsidized and Unsubsidized Individual Health Insurance Market Enrollment Bates: 023948 - 023966
10. Kaiser Family Foundation (2020). Insurer Participation on ACA Marketplaces, 2014-2021 Bates: 023967 - 023967
11. Centers for Medicare & Medicaid Services (2023). Health Insurance Marketplaces, 2023 Open Enrollment Report Bates: 023968 - 023984
12. Ortali, Jared, Justin Lo, Rutika Amin, and Cynthia Cox (2022). How ACA Marketplace Premiums Are Changing By County in 2023, Kaiser Family Foundation Bates: 023985 - 023992
13. Congressional Budget Office (2022). Letter from Phillip L. Swagel to Rep. Mike Crapo, Re: Health Insurance Policies Bates: 023993 - 023999
14. Collins, Sara, Lauren Haynes, and Relebohile Masitha (2022). The State of U.S. Health Insurance in 2022: Findings from the Commonwealth Fund Biennial Health Insurance Survey, Commonwealth Fund Bates: 024000 - 024022
15. Palanker, Dania, JoAnn Volk, and Kevin Lucia (2018). Short-Term Health Plan Gaps and Limits Leave People at Risk, Commonwealth Fund Bates: 024023 - 024027
16. Lueck, Sarah (2018). Key Flaws of Short-Term Health Plans Pose Risks to Consumers, Center on Budget and Policy Priorities Bates: 024028 - 024031
17. Hall, Mark and Michael McCue (2022). Short-Term Health Insurance and the ACA Market, Commonwealth Fund Bates: 024032 - 024036
18. Partnership to Protect Coverage (2021). Under-Covered: How Insurance-Like Products are Leaving Patients Exposed Bates: 024037 - 024062

19. Diegue , Gabriela and Dane Hansen (2020). The Impact of Short-term Limited-duration Policy Expansion on Patients and the ACA Individual Market, Milliman Bates: 024063 - 024110
20. Palanker, Dania, Levin Lucia, and Emily Curran (2017). New Executive Order: Expanding Access to Short-Term Health Plans Is Bad for Consumers and the Individual Market, Commonwealth Fund Bates: 024111 - 024116
21. Appleby, Julie (2017). Brokers Tout Mix-And- Match Coverage To Avoid High-Cost ACA Plans, Kaiser Family Foundation Bates: 024117 - 024121
22. Lopes, Lunna, Audrey Kearney, Alex Montero, Li Hamel, and Mollyann Brodie (2022). Health Care Debt In The U.S.: The Broad Consequences Of Medical And Dental Bills, Kaiser Family Foundation Bates: 024122 - 024130
23. Himmelstein, David, Samuel Dickman, Danny McCormick, David Bor, Adam Gaffney, and Steffie Woolhandler (2022). Prevalence and Risk Factors for Medical Debt and Subsequent Changes in Social Determinants of Health in the US, JAMA Network Open, Volume Issue 9:e2231898 Bates: 024131 - 024163
24. Families USA (2019). Surprise Medical Bills, Results from a National Survey Bates: 024161 - 024191
25. Department of Health and Human Services Office of the Assistant Secretary for Preparedness and Response, Determination of the HHS Secretary that a Public Health Emergency Exists Bates: 024192 - 024192
26. Department of Health and Human Services Office of the Assistant Secretary for Preparedness and Response, Renewal of Determination That A Public Health Emergency Exists Bates: 024193 - 024194
27. Executive Office of the President, Office of Management and Budget, Statement of Administration Policy: H.R. 382 and H.J. Res. 7 (Jan. 30, 2023) Bates: 024195 - 024196
28. Letter to U.S. Governors from HHS Secretary Xavier Becerra on renewing COVID 19 Public Health Emergency (PHE) (Feb. 9, 2023) Bates: 024197 - 024202

29. Curran, Emily, Devin Lucia, JoAnn Volk, and Dania Palanker (2020). In the Age of COVID-19, Short-Term Plans Fall Short for Consumers, Commonwealth Fund Bates: 024203 - 024207
30. FA s about Families First Coronavirus Response Act and Coronavirus Aid, Relief, and Economic Security Act Implementation Part 42 (Apr. 11, 2020) Bates: 024208 - 024219
31. FA s about Affordable Care Act Implementation Part 1, Families First Coronavirus Response Act and Coronavirus Aid, Relief, and Economic Security Act Implementation (Jan. 10, 2022) Bates: 024220 - 024234
32. FA s about Families First Coronavirus Response Act, Coronavirus Aid, Relief, and Economic Security Act and Health Insurance Portability and Accountability Act Implementation Part 8 (Mar. 29, 2023) Bates: 02423 - 02420
33. Health Resources and Services Administration, FA s for The HRSA COVID 19 Coverage Assistance Fund Bates: 02421 - 02426
34. Palanker, Dania and Devin Lucia (2021). Limited Plans with Minimal Coverage Are Being Sold as Primary Coverage, Leaving Consumers at Risk, Commonwealth Fund Bates: 024266 - 024270
35. Palanker, Dania, JoAnn Volk, and Maanasa onna (2019). Seeing Fraud and Misleading Marketing, States Warn Consumers About Alternative Health Insurance Products, Commonwealth Fund Bates: 024271 - 02427
36. Avila, Jaie (2019). Show Me Your Bill Helps Pipe Out 70 in Charges After Heart Attack, News 4 San Antonio Bates: 024276 - 024280
37. Edward, Jean, Amanda Higgins, Malea Hoepf Young, Mary Ray Rayens (2019). Significant Disparities Exist in Consumer Health Insurance Literacy: Implications for Health Care Reform, Health Literacy Research and Practice Bates: 024281 - 024289
38. Villagra, Victor and Bhumika Bhuvu (2019). Health Insurance Literacy: Disparities by Race, Ethnicity, and Language Preference, The American Journal of Managed Care Bates: 024290 - 024302

39. Centers for Medicare & Medicaid Services, Center for Consumer Information and Insurance Oversight, Temporary Special Enrollment Period (SEP) for Consumers Losing Medicaid or the Children's Health Insurance Program (CHIP) Coverage Due to Unwinding of the Medicaid Continuous Enrollment Condition Frequently Asked Questions (FAQ) (Jan. 27, 2023) Bates: 024303 - 024308
40. Department of Health and Human Services, Assistant Secretary for Planning and Evaluation, Office of Health Policy, Unwinding the Medicaid Continuous Enrollment Provision: Protected Enrollment Effects and Policy Approaches, August 19, 2022 Bates: 024309 - 02432
41. National Association of Insurance Commissioners (2023). Short-Term Limited-Duration Health Plans Bates: 024326 - 024328
42. Palanker, Dania, and Volk JoAnn (2021). Misleading Marketing of Non-ACA Plans Continued During COVID-19 Special Enrollment Period, Center on Health Insurance Reforms Bates: 024329 - 024333
43. Fernandez, Bernadette, Vanessa Forsberg, and Annie Mach (2018). Background Information on Health Coverage Options Addressed in Executive Order 13813, Congressional Research Service Bates: 024334 - 02437
44. Corlette, Sabrina, Devin Lucia, Dania Palanker, and Olivia Hoppe (2019). The Marketing of Short-Term Health Plans: An Assessment of Industry Practices and State Regulatory Responses, Urban Institute Bates: 02438 - 024366
45. Government Accountability Office (2022). Private Health Insurance: Limited Data Hinders Understanding Short-Term Plans Role and Value During the COVID-19 Pandemic Bates: 024367 - 024412
46. Pollitt, Karen, Michelle Long, Ashley Semanskee, and Rabah Amal (2018). Understanding Short-Term Limited Duration Health Insurance, Kaiser Family Foundation Bates: 024413 - 024423
47. Letter from 29 Organizations to Sec. Xavier Becerra (Jan. 31, 2022) Bates: 024424 - 024428

48. Federal Trade Commission (2018). FTC Halts Purveyors of Sham Health Insurance Plans Bates: 024429 - 024431

49. Federal Trade Commission (2022). FTC Action Against Benefytt Results in 100 Million in Refunds for Consumers Tricked into Sham Health Plans and Charged Exorbitant Junk Fees Bates: 024432 - 02443

50. Government Accountability Office (2020). Private Health Coverage: Results of Covert Testing for Selected Offerings Bates: 024336 - 024464

51. eith, atie (2020). New Congressional Investigation of Short-Term Plans, Health Affairs Bates: 02446 - 024472

52. U.S. House of Representatives Committee on Energy and Commerce (2020). Shortchanged: How the Trump Administration s Expansion of Junk Short-Term Health Insurance Plans Is Putting Americans at Risk Bates: 024473 - 024669

53. Centers for Medicare & Medicaid Services Office of Minority Health (2022). The Path Forward: Improving Data to Advance Health Equity Solutions Bates: 024670 - 024711

54. Moore, Ja myn, Carolina Luna-Pinto, Heidi Cox, Sima Ra i, Michael St. Louis, Jessica Ricaldi, and Leandris Liburd (2021). Promoting Health Equity During the COVID-19 Pandemic, United States, Bulletin of the orld Health Organi ation Bates: 024712 - 024714

55. Edward, Jean, Robin Thompson, and Amanda iggins (2022). Health Insurance Literacy Levels of Information Intermediaries: How Prepared are They to Address the Growing Health Insurance Access Needs of Consumers , Health Literacy Research and Practice, 6(1) Bates: 02471 - 024721

56. Curran, Emily, Dania Palanker, and Sabrina Corlette (2019). Short-term Plans Sold Through Out-of-State Associations Threaten Consumer Protections, Commonwealth Fund Bates: 024722 - 02472

57. Appleby, Julie (2021). New Health Plans Offer Twists on Existing Options, ith a Dose of Buyer Beware , FF Health News Bates: 024726 - 024732

58. Staman, Jennifer (2020). Federal Private Health Insurance Market Reforms: Legal Framework and Enforcement, Congressional Research Service Bates: 024733 - 024746
59. Arbel, Yonathan and Andrew Toler (2020). ALL-CAPS, Journal of Empirical Legal Studies Bates: 024747 - 024802
60. Hancock, Jay (201). How Not to Find Out Your Health Plan Lacks Hospital Benefits, aiser Family Foundation Bates: 024803 - 024807
61. aiser Family Foundation (2021). 2021 Employer Health Benefits Bates: 024808 - 02 066
62. aiser Family Foundation (2022). 2022 Employer Health Benefits Bates: 02 067 - 02 347
63. U.S. Department of Labor, Employee Benefits Security Administration (2022). ME As: Multiple Employer elfare Arrangements under the Employee Retirement Income Security Act (ERISA): A Guide to Federal and State Regulation Bates: 02 348 - 02 483
64. National Association of Insurance Commissioners (2022). Accident and Health Policy Experience Reports for 2018 2021 Bates: 02 484 - 02 794
65. Congressional Budget Office (2020). CBO s Estimates of Enrollment in Short-Term, Limited- Duration Insurance Bates: 02 79 - 02 803
66. Congressional Budget Office (2019). How CBO and JCT Analy ed Coverage Effects of New Rules for Association Health Plans and Short-Term Plans Bates: 02 804 - 02 823
67. Centers for Medicare & Medicaid Services Office of the Actuary (2018). Estimated Financial Effects of the Short-Term, Limited- Duration Policy Proposed Rule Bates: 02 824 - 02 826
68. Deam, Jenny (2021). He Bought Health Insurance for Emergencies. Then He Fell Into a 33,601 Trap, ProPublica Bates: 02 827 - 02 837

69. Williams, Jackson (2022). Addressing Low-Value Insurance Products with Improved Consumer Information: The Case of Ancillary Health Products, National Association of Insurance Commissioners, Journal of Insurance Regulation Bates: 02 838 - 02 86
70. Schwab, Rachel and Maanasa Iyengar (2018). State Insurance Department Consumer Alerts on Short-Term Plans Come Up Short, Center on Health Insurance Reforms Bates: 02 866 - 02 870
71. Sanger-Catlin, Margot (2018). What to Know Before You Buy Short-Term Health Insurance, The New York Times Bates: 02 871 - 02 874
72. Pelech, Daria and Lauren Stockley (2022). How Price and Quantity Factors Drive Spending in Nongroup and Employer Health Plans, Health Services Research Bates: 02 87 - 02 884
73. Centers for Medicare & Medicaid Services, Medical Loss Ratio Data and System Resources Bates: 02 88 - 02 888
74. Appleby, Julie (2018). Short-Term Health Plans Boost Profits For Brokers And Insurers, NPR Bates: 02 889 - 02 90
75. Pear, Robert (2018). Short Term Health Insurance Up to 3 Years Under New Trump Policy, The New York Times Bates: 02 906 - 02 909
76. Consumer Financial Protection Bureau (2022). Medical Debt Burden in the United States Bates: 02 910 - 02 963
77. Corlette, Sabrina, Erik Engle, Ian Hill, and Olivia Hoppe (2020). Perspective from Brokers: The Individual Market Stabilizes while Short-Term and Other Alternative Products Pose Risks, Urban Institute Bates: 02 964 - 02 976
78. Centers for Medicare & Medicaid Services (2021). 2021 Special Enrollment Period in Response to the COVID-19 Emergency Bates: 02 977 - 02 979
79. Centers for Medicare & Medicaid Services (2021). Extended Access Opportunity to Enroll in More Affordable Coverage Through HealthCare.gov Bates: 02 980 - 02 983
80. Norris, Louise (2023). So Long to Limits on Short-Term Plans, Healthinsurance.org Bates: 02 984 - 02 990

81. Giovannelli, Justin, JoAnn Volk, and Kevin Lucia (2020).
States Work to Make Individual Market Health Coverage
More Affordable, But Long-Term Solutions Call for Federal
Leadership, Commonwealth Fund Bates: 02 991 - 026010
82. Palanker, Dania, Maanasa Isona, and Emily Curran (2019).
States Step Up to Protect Insurance Markets and Consumers
from Short-Term Health Plans, Commonwealth Fund
Bates: 026011 - 02602
83. Ortali, Jared, Rutika Amin, and Cynthia Cox (2022).
As ACA Marketplace Enrollment Reaches Record High,
Fewer Are Buying Individual Market Coverage Elsewhere,
Kaiser Family Foundation Bates: 026026 - 026030
84. Levitt, Larry, Rachel Fehr, Gary Claxton, Cynthia Cox, and
Karen Pollit (2018). Why do Short-Term Health Insurance
Plans Have Lower Premiums than Plans that Comply with the
ACA, Kaiser Family Foundation Bates: 026031 - 026033
85. Barnes, Justin and Fumiko Chino (2022). Short-term Health
Insurance Plans Come Up Short for Patients with Cancer,
JAMA Oncology, Vol 8, Issue 8: 1101 1103 Bates: 026034 - 026036
86. Hill, Latoya, Samantha Artiga, and Usha Ranjit (2022).
Racial Disparities in Maternal and Infant Health: Current
Status and Efforts to Address Them, Kaiser Family Foundation
Bates: 026037 - 0260 3
87. Tolbert, Jennifer, Kendall Orgera, and Anthony Damico (2020)
(updated 2023). Key Facts about the Uninsured Population,
Kaiser Family Foundation Bates: 0260 4 - 26074
88. Artiga, Samantha, Latoya Hill, Kendall Orgera, and Anthony
Damico (2021) (updated 2022). Health Coverage by
Race and Ethnicity, 2010 2021, Kaiser Family Foundation
Bates: 02607 - 026077
89. Kaiser Family Foundation (2021). Adults Who Report
Not Having Personal Doctor Health Care Provider by
Race Ethnicity Bates: 026078- 02608
90. Kaiser Family Foundation (2021). Adults Who Report
Not Seeing a Doctor in the Past 12 Months Because of
Cost by Race Ethnicity Bates: 026086 - 026093

91. Bureau of Labor Statistics (2022). National Occupational Employment and Wage Estimates Bates: 026094 - 026118
92. Small Business Administration (2023). Table of Size Standards (last updated March 2023) Bates: 026119 - 026199
93. House Conf. Rep. No. 104-736 (1996) Bates: 026160 - 026188
94. Palanker, Dania and Christina Goe (2020). States Don't Know What's Happening in Their Short-Term Health Plan Markets and That's a Problem, Commonwealth Fund Bates: 026109 - 026112
95. Association of United Internet Consultants (2017). Core Health Insurance Brochure Bates: 026113 - 026128
96. Hooray Health (2022). Hooray Health Brochure Bates: 026129 - 026129
97. Sidecar Health (2022). Sidecar Health Insurance Brochure Bates: 026130 - 026131
98. Sidecar Health (2022). How Do I Use My Sidecar Health VISA Benefit Card to Pay a Provider Bates: 026132 - 026136
99. Sidecar Health (2022). How Sidecar Health Works with You Bates: 026137 - 026137
100. Association for Community Affiliated Plans (2023). Letter to Secretaries of Labor, Treasury, and Health and Human Services. Bates: 026138 - 026141
101. United Healthcare (2022). How Does A Fixed Indemnity Plan Work Bates: 026142 - 026142
102. United Healthcare (2022). Health Protector Guard: Hospital and Doctor Fixed Indemnity Insurance Bates: 026143 - 026174
103. Alston & Bird (2023). Statutory Background: Hospital Indemnity and Other Fixed Indemnity Excepted Benefits Bates: 026177 - 026178
104. Aflac Federal Relations and Alston & Bird (2023). There's a BIG Difference Between Short-Term Medical Insurance and Other Policies Bates: 026179 - 026183

105. Brief Amicus Curiae of the U.S. House of Representatives in Support of Appellants in Association for Community Affiliated Plans, et al. v. United States Department of the Treasury (2023)
Bates: 026 84 - 026618

106. Petition for Rehearing and Rehearing En Banc in Association for Community Affiliated Plans, et al. v. United States Department of the Treasury, et al.
Bates: 026619 - 026643

107. H.R. Rep. No. 104 496, part I (1996)
Bates: 026644 - 026927

108. Kaiser Family Foundation (2024). Number of Issuers Participating in the Individual Health Insurance Marketplaces, 2014 2024
Bates: 026928 - 02693

109. Centers for Medicare & Medicaid Services (2024). Marketplace 2024 Open Enrollment Period Report: Final National Snapshot
Bates: 026936 - 026944

110. Centers for Medicare & Medicaid Services (2023). NHE Fact Sheet
Bates: 02694 - 0269 0

111. FAQs about Families First Coronavirus Response Act and Coronavirus Aid, Relief, and Economic Security Act Implementation Part 0 (Oct. 4, 2021)
Bates: 0269 1 - 0269 7

112. FAQs about Families First Coronavirus Response Act and Coronavirus Aid, Relief, and Economic Security Act Implementation Part 2 (Feb. 4, 2022)
Bates: 0269 8 - 02696

113. Centers for Medicare & Medicaid Services, Center for Medicaid & CHIP Services (Jan. , 2023). Key Dates Related to the Medicaid Continuous Enrollment Condition Provisions in the Consolidated Appropriations Act, 2023
Bates: 026966 - 026972

114. Centers for Medicare & Medicaid Services, Center for Medicaid & CHIP Services (Jan. 27, 2023). Letter to State Health Officials from Deputy Administrator and Director Daniel Tsai RE: Medicaid Continuous Enrollment Condition Changes, Conditions for Receiving the FFCRA Temporary FMAP Increase, Reporting Requirements, and Enforcement Provisions in the Consolidated Appropriations Act, 2023
Bates: 026973 - 026997

115. Schwab, R., & Volk, J. (Aug. 28, 2023). The Perfect Storm: Misleading Marketing of Limited Benefit Products Continues as Millions Losing Medicaid Search for New Coverage, Center on Health Insurance Reforms Bates: 026998 - 027007
116. Healthinsurance.org (2023). Duration and Renewals of 2023 Short-Term Medical Plans by State Bates: 027008 - 027014
117. Steffen, Peter B. (2000). After Fabe: Applying the Pireno Definition of Business of Insurance in First-Clause McCarran-Ferguson Act Cases, University of Chicago Legal Forum: Vol. 2000 Bates: 02701 - 027041
118. Barnes, Justin, Anne Birchhoff, Robin Yabroff, and Fumiko Chino (2023). State Policies Regulating Short-Term Limited Duration Insurance Plans and Cancer Stage at Diagnosis, JNCI Cancer Spectrum, Volume 7, Issue Bates: 027042 - 02704
119. Georgians for a Healthy Future (2019). Report on Testing Consumer Understanding of a Short-Term Health Insurance Plan Bates: 027046 - 027072
120. Kutner M, Greenberg E, Jin Yes, Paulsen C. The Health Literacy of America's Adults: Results from the 2003 National Assessment of Adult Literacy (NCES 2006 483). Washington, DC: U.S. Department of Education, National Center for Education Statistics; 2006 Bates: 027073 - 027148
121. Muvuka, B., et. al (2020). Health Literacy in African-American Communities: Barriers and Strategies, Health Literacy Research and Practice Bates: 027149 - 0271 4
122. Schumacher, Jessica R. et al. (2013). Potentially Preventable Use of Emergency Services: The Role of Low Health Literacy, Medical Care 1(8), August 2013 Bates: 0271 - 027164
123. Centers for Medicare & Medicaid Services (2023). Unwinding and Returning to Regular Operations after COVID, Medicaid and CHIP Renewals Outreach and Educational Resources Bates: 02716 - 027168
124. Centers for Medicare & Medicaid Services (August 26, 2022). Biden-Harris Administration Makes Largest Investment Ever in Navigators Ahead of HealthCare.gov Open Enrollment Period Bates: 027169 - 027174

125. Corallo, Bradley, Jennifer Tolbert, Patrick Drake, Sophia Moreno, and Robin Rudowit (2024). Halfway Through the Medicaid Unwinding: What Do the Data Show Kaiser Family Foundation Bates: 02717 - 027182
126. Centers for Medicare & Medicaid Services, Frequently Asked Questions on Reuse of Exchange for Ancillary Products (March 29, 2013) Bates: 027183 - 027184
127. NAIC Model 40 (1999 & 2020) Bates: 02718 - 027222
128. NAIC Model 170 (2019 & 2020) Bates: 027223 - 027240
129. NAIC Model 171 (2019 & 2020) Bates: 027241 - 02728
130. National Association of Insurance Commissioners (2023). 2022 Accident and Health Policy Experience Report Bates: 027286 - 027 96
131. Lucia, Devin, Sabrina Corlette, Dania Palanker, and Olivia Hoppe (2018). Views From the Market: Insurance Brokers Perspectives on Changes to Individual Health Insurance, Urban Institute Bates: 027 97 - 027609
132. AHIP ACLI BCBSA 2023 Survey: Fixed Indemnity and Specified Disease Plans, September 7, 2023 Bates: 027610 - 027611
133. Maraca-Mandic, Pinar, Feldman, Roger, and Peter Graven (2016). The Role of Agents and Brokers in the Market for Health Insurance, Journal of Risk and Insurance Bates: 027612 - 027639
134. National Association of Benefits and Insurance Professionals (2023). Who Are Bates: 027640 - 027644
135. Yang, Nuo Nova, Jingxuan Zhao, Justin Michael Barnes, Anne C. Birchhoff, Fumiko Chino, Robin Yabroff, and Quesong Han (2023). Association of Federal and State Policies Regulating Short-term Limited Duration Insurance (STLD) Plans and Later Cancer Stage at Diagnosis, JCO Oncology Practice, Volume 19, Issue 11 Bates: 02764 - 02764
136. Ortali, Jared, Rutika Amin, and Cynthia Cox (2024). Another Year of Record ACA Marketplace Signups, Driven in Part by Medicaid Unwinding and Enhanced Subsidies, Kaiser Family Foundation Bates: 027646 - 0276 3

137. American Cancer Society Cancer Action Network (2019).
Inadequate Coverage: An ACS CAN Examination of Short-Term
Health Plans Bates: 0276 4 - 027678
138. Blase, Brian (2021). Individual Health Insurance Markets
Improving in States that Fully Permit Short-Term Plans,
Galen Institute Bates: 027679 - 027702
139. Rikard, RV, Maxine Thompson, Julie Mc inney, and Alison
Beauchamp (2016). Examining Health Literacy Disparities in the
United States: A Third Look at the National Assessment of Adult
Literacy, BMC Public Health, Volume 16, Issue 1
Bates: 027703 - 027714
140. Davis, Stacy, Jonathan ischhusen, Steven Sutton, Shannon
Christy, Emmanuel Chavarria, Megan Sutter, Siddhartha Roy,
Cathy Meade, and Clement Gwede (2020). Demographic and
Psychosocial Factors Associated with Limited Health Literacy in
a Community-based Sample of Older Black Americans, Patient
Education and Counseling, Volume 103, Issue 2,
Bates: 02771 - 027720
141. Office of the Assistant Secretary for Planning and Evaluation
(2016). Guidelines for Regulatory Impact Analysis
Bates: 027721 - 02781
142. Centers for Medicare & Medicaid Services (2024).
Short-term, Limited-duration and Fixed Indemnity
Issuers and Associated Income (as measured by
Revenue or Premiums) Bates: 027816 - 027817
143. Multiple Issuers Fixed Indemnity Plan Documentation
Bates: 027818 - 030879
144. Nat l Ass n of Ins. Commissioners (2024).
MCAS 2023 - Market Conduct Annual Statement
Bates: 030880 - 030888
145. Centers for Medicare & Medicaid Services (2023).
Self-Funded, Non-Federal Governmental Plans Bates: 030889 - 030891
146. Sidecar Health (2023). Discussion regarding Proposed
Rulemaking: section 10 (b) Bates: 030892- 030900

- 147.** Am. Council of Life Insurers (2023). Taxation of Fixed Indemnity and Certain Other Accident and Health Insurance Policies
Bates: 030901 - 030910
- 148.** Centers for Medicare & Medicaid Services (2024). Consumer Research to Improve Marketplace Tools, Outreach, and Education Programs, Short-Term Plan Notice Messages: MaxDiff Survey
Bates: 030911 - 030934
- 149.** Centers for Medicare & Medicaid Services (2024). Short-Term Plan Notice MaxDiff Survey: Topline Report
Bates: 03093 - 03096
- 150.** Centers for Medicare & Medicaid Services (2024). Consumer Research to Improve Marketplace Tools, Outreach, and Education Programs. STLDI FI Notices: Topline Report
Bates: 030966 - 031024
- 151.** Centers for Medicare & Medicaid Services (2024). Consumer Research to Improve Marketplace Tools, Outreach, and Education Programs. STLDI FI Notices: Spanish Language Research Topline Report (FINAL)
Bates: 03102 - 031090