

As efforts to make sweeping legislative changes to the Affordable Care Act at the federal level have stalled, states are increasingly looking to stabilize and reform their own health insurance markets. Section 1332 of the Affordable Care Act authorizes states to waive certain ACA provisions and receive federal funding provided four guardrails are met. In the absence of federal legislation, it may be the most important policy tool at a state’s disposal. This chart briefly summarizes such State Innovation Waivers. Updates will be made periodically as waivers make their way through the required state and federal review processes and additional states develop their own proposals.

**Overview of ACA Section 1332 State Innovation Waivers**

| Status                          | State                             | Waiver Program   | Effective Date  |
|---------------------------------|-----------------------------------|--|---|
| Approved                        | Hawaii                            | Revive state’s pre-ACA employer mandate law  | 2017  |
|                                 | Alaska                            | Establish state-run Reinsurance funded through combination of state funds and passed-through federal funding   | 2018 (state-funded reinsurance program already operating for 2017)  |
|                                 | Minnesota                         | State-run Reinsurance  | 2018 (approved, but resultant large Basic Health Program funding cuts may trigger renegotiations for that program)        |
|                                 | Oregon                            | State-run Reinsurance  | 2018  |
| Determined Complete             | California (withdrew application) | Permit undocumented individuals to purchase unsubsidized qualified health plan coverage  |   |
|                                 | Iowa (withdrew application)       | State-run Reinsurance; alternative subsidy schedule (based on age and income) and standardized plans available directly through insurer(s); continuous coverage required for SEP enrollments | 2018 (requested)  |
|                                 | Oklahoma (withdrew application)   | Permit undocumented individuals to purchase unsubsidized qualified health plan coverage  | 2018 (requested)  |
| Submitted                       | Massachusetts (incomplete)        | Administer premium stabilization fund in lieu of cost-sharing reductions   | 2018 (requested)  |
|                                 | Vermont (incomplete)              | Direct enrollment only for small business health options program (SHOP)  |   |
| Public Draft of Application     | New Hampshire                     | State-run Reinsurance  | 2018 (requested). Application never submitted, presumably due to lower than expected federal pass-through funding levels. |
|                                 | Ohio                              | Waives individual mandate as required by state law   | 2019 (requested)  |
| Authorizing Legislation Enacted | Kentucky                          |  |   |
|                                 | Maine                             | State-run Reinsurance  |   |
|                                 | Rhode Island                      |  |   |
|                                 | Texas                             |  |   |
|                                 | Wisconsin                         | State-run Reinsurance  | 2019  |