

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)
Authorizing Legislation Enacted	Idaho	State-run Reinsurance	
	Kentucky		
	Maine	State-run Reinsurance	
	Ohio	Repeal individual and employer mandates; other features expected	
	Rhode Island		
	Texas		