**Section 2040.40 Grace Periods and Terminations for Nonpayment of Premium**

Except as otherwise provided in this Section, an issuer shall allow an insured, upon request, to defer premium payments without interest for health insurance coverage, including limited-scope dental benefits, for at least 60 calendar days from each original premium due date.

a) For an insured who, as of April 20, 2020, has already failed to make a sufficient premium payment by the due date but whose effective date of coverage termination has not yet occurred, an issuer shall, to the extent permitted by CMMS' enforcement discretion under federal law, refrain from cancelling or nonrenewing the insured's health insurance coverage or enrollment under that coverage based on nonpayment of premium until after June 18, 2020.

b) For an insured who receives advance payments of premium tax credits for a qualified health plan or stand-alone dental plan under 42 USC 18082, an issuer shall delay the initiation of the federally mandated 3-month grace period in 45 CFR 156.270, without pending any claims or imposing interest, for at least 30 calendar days after the missed payment date.

c) Binder Payments

1) An issuer of any qualified health plan or stand-alone dental plan in the individual market shall, to the extent permitted by CMMS' enforcement discretion under federal law, extend all existing deadlines to make a binder payment, interest free, until at least 30 calendar days after the latest permissible deadline applicable to the circumstances under 45 CFR 155.400(e).

2) An issuer shall extend its existing deadlines to make a binder payment for all other health insurance coverage in the individual market, including limited-scope dental benefits, by 30 calendar days without interest.

d) Any communication from an issuer addressed to an insured regarding the payment extensions in this Section must clearly state the insured's obligation to pay back premiums or potentially be subject to billing from the issuer for paid claims or from health care providers for unpaid claims, and must clearly state the issuer's obligations during the payment extension period in light of this Section.