

Bulletin 25-02

To: Health Insurance Issuers
From: Larry Deiter, Director
Date: April 28, 2025
Re: 2026 Product Filing Deadlines

The December 31, 2024, Bulletin¹ by the Department of Health and Human Services Centers for Medicare and Medicaid Services/Center for Consumer Information and Insurance Oversight (CMS/CCIIO) finalized the timing of submissions² of rate filing justifications for single risk pool coverage in the individual and small group markets effective on or after January 1, 2026.

The South Dakota Division of Insurance (Division) has established the submission deadline of May 28, 2025, for all On and Off-Exchange Individual and Small Group ACA-compliant health insurance plans.

Issuers who intend to market or renew ACA-compliant products after January 1, 2026, must comply with the filing deadline for all rates, forms, access plans, and binder filings.

All filings must include a detailed cover letter. Binder filings must include the Summary of Benefits and Coverage (SBCs) for each plan offered. All other filings must include the additional information listed below.

Rates

Issuers must file the rate filing justifications with the assumption of current law as it exists today, with the expiration of the enhanced premium tax credits under the Inflation Reduction Act. Issuers must also submit a second rate filing in the Supporting Documentation Tab within SERFF with the assumption the enhanced premium tax credits will be extended. The actuarial memorandum filed with the rate filing justification must address both sets of rates.

¹ <https://www.cms.gov/files/document/2025-rate-review-bulletindocx-508-compliant.pdf>

² <https://www.cms.gov/files/document/py2026-qhp-data-submission-and-certification-timeline-bulletin.pdf>

Mental Health Parity and Addiction Equity Act Self-Compliance Questionnaire

Issuers must file the Mental Health Parity and Addiction Equity Act Self-Compliance Questionnaire in the Supporting Documentation Tab within SERFF. The self-compliance questionnaire can be found on the Division's website on the [Company Filings and Forms](#) page.

Network Adequacy Justification Updates

For issuers who are required to submit network adequacy justifications, these issuers will need to file two updates on the areas where the issuer was deficient. The updates must be filed via SERFF using the filing type of Report Filing. The first update must be filed by January 15, 2026, and the second update must be filed by July 15, 2026.

Appointment Wait Time Secret Shopper Survey

For issuers who are required to submit the Appointment Wait Time Secret Shopper Survey to the federal government, the Division requests the final survey submitted to the federal government be filed with the Division via SERFF using the filing type of Report Filing. The final survey must be submitted by June 30, 2025.

Filings submitted after the applicable date will not be accepted for review. No revisions to the filings will be allowed after the designated deadlines, except as required by the Division or the federal government.

These timeframes do not apply to grandfathered health plans or non-grandfathered health plans with effective dates before December 31, 2013.

Issuers should review the updated Filing Instructions in SERFF for cover letter specifics and additional filing requirement information.