

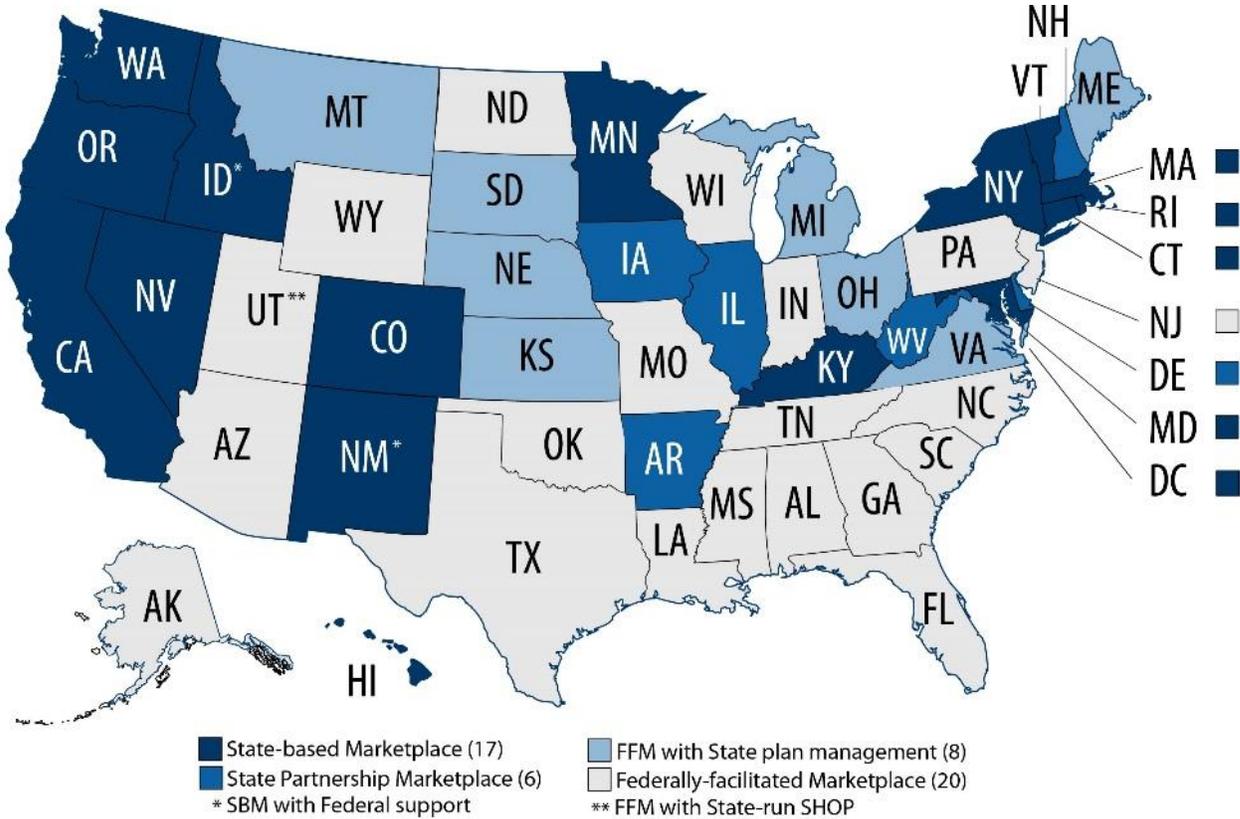
Status of State Health Insurance Exchange Implementation

One of the key coverage elements of the Affordable Care Act (ACA) is the creation of Health Insurance Exchanges or Marketplaces in each state in which individuals and small businesses can choose among an array of affordable, comprehensive health insurance plans. The ACA authorizes states to establish a State-based Marketplace (SBM); if states elect not to or are unable to do so, the U.S. Department of Health and Human Services shall establish a Federally-facilitated Marketplace (FFM) in the state. States may also elect to pursue a State Partnership Marketplace (SPM) in which the state plays a role in the development and operations of the FFM. Below is a summary of progress in exchange implementation, including establishing authority to create an Exchange and state access to federal grant funding to support planning activities.

State Implementation of Health Insurance Exchanges

In 2014, 16 states and the District of Columbia will operate a State-based Marketplace (SBM) for both individuals and small businesses, while six additional states are pursuing a State Partnership Exchange. Twenty-seven states declined the opportunity to operate an SBM or SPM and will default to a Federally-facilitated Marketplace (FFM), although eight of them will assist the FFM in certain plan management functions. One state will operate a stand-alone Marketplace for small business while the FFM will provide coverage for individuals. (Figure 1).

Figure 1. Status of 2014 Marketplace Implementation



State Legislation Promoting Health Insurance Marketplace Implementation

Table 1. State Establishment of a State-based Marketplace

States Establishing a State-based Marketplace via Legislation (bill number)	
Legislation Enacted (16 states)	
Arkansas (HB1508) ¹	Massachusetts (Chapter 58) ⁹
California (SB900, AB1602) ²	Minnesota (HB0005) ¹⁰
Colorado (SB11-200) ³	Nevada (SB440) ¹¹
Connecticut (SB921) ⁴	New Mexico (SB221) ¹²
District of Columbia (B19-2) ⁵	Oregon (SB99) ¹³
Hawaii (SB1348) ⁶	Vermont (HB202) ¹⁴
Idaho (HB248) ⁷	Washington (SB5445) ¹⁵
Maryland (HB166) ⁸	West Virginia (SB408) ¹⁶
Legislation Pending (4 states)	
Illinois (HB3227) ¹⁷	Maine (LD1345) ¹⁹
Iowa (SF375) ¹⁸	Pennsylvania (HB225, HB1544) ²⁰
States Establishing an State-based Marketplace via Executive Authority (3 States)	
Kentucky (EO 2012-587) ²¹	Rhode Island (E011-09) ²³
New York (EO42) ²²	

Since the passage of the Affordable Care Act, 14 states and D.C. have enacted legislation creating an SBM to be operational in 2014 in addition to Massachusetts, which created an exchange entity called the MA Connector in 2006. One state (West Virginia) has opted instead for a State Partnership Exchange for 2014 despite enacting a bill creating an SBM, while another state (Arkansas) enacted legislation to launch an SBM in 2015. Four states currently have an exchange measure pending before their legislatures (Table 1). A total of forty-four states have had at least one State-based or State Partnership Exchange

establishment bill under consideration since the passage of the Affordable Care Act (ACA).

Three states have established a State-based Marketplace via Executive Order rather than legislation (Table 1). One state (Utah²⁴) has obtained approval to operate a stand-alone SHOP Marketplace for small businesses while the FFM will provide coverage to individuals. Several states that enacted exchange laws have more recently developed supplementary legislation to further define the authority of their exchange and insurance market standards (Table 2). A complete list of all state legislation regarding exchanges implementation is included in the Appendix.

Six states have declared their intent to pursue a State Partnership Exchange (Table 3). Eight of the 27 states in which a Federally-facilitated Marketplace will operate will have an active role in plan management functions of the Marketplace (Table 4), while the remaining 19 states are defaulting entirely to the (FFM) (Table 5).

Table 2. States with Supplementary Exchange Legislation (bill number)

Enacted (8 states)	
Colorado (HB13-1245) ²⁵	Oregon (HB4164, ³¹ HB3458 ³²)
Connecticut (HB5013) ²⁶	Vermont (H559) ³³
District of Columbia (B20-0302) ²⁷	Washington (HB2319, ³⁴ HB1947 ³⁵)
Hawaii (HB877) ²⁸	
Maryland (SB238/HB443, ²⁹ HB361 ³⁰)	
Pending (2 states)	
Massachusetts(S554) ³⁶	Vermont (H418) ³⁷
Failed (3 states)	
Hawaii (HB2114, SB2434, SB2085)	New Mexico (SB48) ³⁹
Idaho (HB289) ³⁸	

Table 3. States Establishing a State Partnership Marketplace (6 states)

Arkansas ⁴⁰	Iowa ⁴³
Delaware ⁴¹	New Hampshire ⁴⁴
Illinois ⁴²	West Virginia ⁴⁵

Table 4. States Performing Plan Management Functions in a Federally-facilitated Marketplace (8 states)

Kansas ⁶⁵	Nebraska ⁶⁹
Maine ⁶⁶	Ohio ⁷⁰
Michigan ⁶⁷	South Dakota ⁷¹
Montana ⁶⁸	Virginia ⁷²

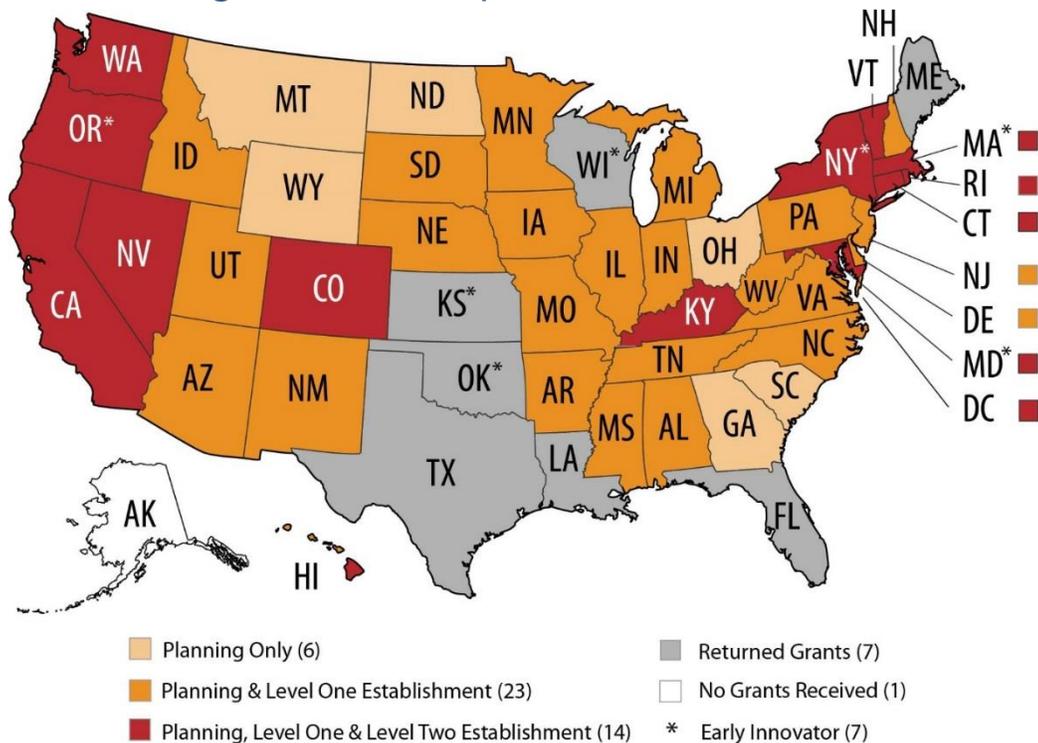
Table 5. States Defaulting to a Federally-facilitated Marketplace (19 states)

Alabama ⁴⁶	Mississippi ⁵³	Pennsylvania ⁵⁹
Alaska ⁴⁷	Missouri ⁵⁴	South Carolina ⁶⁰
Arizona ⁴⁸	North Dakota ⁵⁵	Tennessee ⁶¹
Florida ⁴⁹	New Jersey ⁵⁶	Texas ⁶²
Georgia ⁵⁰	North Carolina ⁵⁷	Wisconsin ⁶³
Indiana ⁵¹	Oklahoma ⁵⁸	Wyoming ⁶⁴
Louisiana ⁵²		

Grant Funding to States for Health Insurance Marketplace Implementation

The ACA directs HHS to provide states with funding to support planning, implementation and operation of state marketplaces from enactment through CY 2014. An initial allotment of up to \$1 million in planning grants was made available to each state in the fall of 2010; every state except Alaska applied for and received a planning grant. Seven states have announced their intention of returning most or all marketplace planning and/or establishment grant funds.

Figure 2. HHS Marketplace Grant Awards to States



On February 16, 2011, larger Early Innovator grants were awarded to seven grantees – six individual states and to Massachusetts on behalf of a consortium of New England states.⁷³ These states are to pioneer the development of IT system infrastructure to support marketplace operations, the results of which will be available to other states. Oklahoma, Kansas, and Wisconsin have subsequently returned the grants and withdrawn participation in the Early Innovator program. The remaining Early Innovator grantees are currently in various stages of research and development of the novel IT systems for exchange operations.

In 2011, states were eligible to commence from the planning grant phase to the second round of funding: establishment grants. These grants support the development and implementation of marketplaces, and are available on a rolling basis with application deadlines beginning March 30, 2011 and occurring quarterly thereafter into 2014. These funds are available at two levels: Level One, which provides an annual grant award for states still developing the various policy and operational elements needed for a marketplace, and Level Two, a larger, multi-year grant award to carry a state from now until the end of calendar year 2014 (awarded to states with significant progress in implementation). Thirty-six states and the District of Columbia have applied for and received Level One establishment grants - including twenty-three with multiple grant awards – while fourteen states have received Level Two funding (Table 5).

Table 5. States with HHS Marketplace Establishment Grants (grant amount)			
State	Level One (37 states)	Level Two (14 States)	Total Grants
Alabama	\$8,592,139 ^c		\$8,592,139
Arizona	\$29,877,427 ^c		\$29,877,427
Arkansas	\$7,665,483 ^d , \$18,595,072 ^g , \$16,470,852 ⁱ		\$42,731,407
California	\$39,421,383 ^b , \$196,479,629 ^f	\$673,705,358 ^h	\$909,606,370
Colorado	\$17,951,000 ^d , \$43,486,747 ^g	\$116,245,677 ^k	\$177,683,424
Connecticut	\$6,687,933 ^b , \$2,140,867 ⁱ	\$107,358,676 ^f , \$	\$116,187,476
District of Columbia	\$8,200,716 ^b	\$72,985,333 ^g	\$81,186,049
Delaware	\$3,400,096 ^c , \$8,536,543 ^h		\$11,936,639
Hawaii	\$14,440,144 ^c , \$61,815,492 ^f	\$128,086,634 ⁱ	\$204,342,270
Idaho	\$20,376,556 ^c		\$20,376,556
Illinois	\$5,128,454 ^b , \$32,789,377 ^e , \$115,823,521 ⁱ		\$153,741,352
Indiana	\$6,895,126 ^a		\$6,895,126
Iowa	\$7,753,662 ^c , \$26,623,003 ^f , \$6,844,913 ^h		\$41,221,578
Kentucky	\$7,670,803 ^b , \$57,896,810 ^d , \$4,423,000 ^g	\$182,707,738 ^h	\$252,698,351
Maryland	\$27,186,749 ^b	\$123,048,693 ^f	\$150,235,442
Massachusetts	\$11,644,938 ^d , \$41,679,505 ^g	\$80,225,650 ^h	\$133,550,093

Michigan	\$9,849,305 ^c , \$30,667,994 ^h		\$40,517,299
Minnesota	\$4,168,071 ^b , \$26,148,929 ^d , \$42,525,892 ^g , \$39,326,115 ^h		\$112,169,007
Mississippi	\$20,143,618 ^b		\$20,143,618
Missouri	\$20,865,716 ^b		\$20,865,716
Nebraska	\$5,481,838 ^c		\$5,481,838
Nevada	\$4,045,076 ^b , \$15,295,271 ^d , \$4,397,926 ^e , \$9,020,798 ^k	\$50,016,012 ^f	\$82,775,083
New Jersey	\$7,674,130 ^d		\$7,674,130
New Hampshire	\$894,406 ⁱ , \$5,372,682 ^j		\$6,267,088
New Mexico	\$34,279,483 ^c , \$18,600,000 ^k		\$52,879,483
New York	\$10,744,898 ^b , \$48,474,819 ^d , \$95,496,490 ^f	\$185,822,357 ^h	\$340,538,564
North Carolina	\$12,396,019 ^b , \$73,961,296 ^h		\$86,357,315
Oregon	\$8,969,600 ^b , \$6,682,701 ^e	\$226,442,074 ^h	\$242,094,375
Pennsylvania	\$33,832,212 ^d		\$33,832,212
Rhode Island	\$5,240,668 ^a , \$9,822,646 ⁱ	\$58,515,871 ^c , \$7,950,989 ^h	\$81,530,174
South Dakota	\$5,879,569 ^e		\$5,879,569
Tennessee	\$1,560,220 ^c , \$2,249,945 ^d , \$4,300,000 ^e		\$8,110,165
Utah	\$1,000,000 ⁱ		\$1,000,000
Vermont	\$18,090,369 ^c , \$2,167,747 ^h , \$42,687,000 ^k	\$104,178,965 ^f	\$167,124,081
Virginia	\$4,320,401 ⁱ , \$1,247,402 ^k		\$5,567,803
Washington	\$22,942,671 ^a	\$127,852,056 ^e	\$150,794,727
West Virginia	\$9,667,694 ^b , \$10,165,134 ^k		\$19,832,828
United States	\$1,587,154,691	\$2,245,142,083	\$3,832,296,774

^a March 30, 2011 application deadline

^b June 30, 2011 application deadline

^c September 30, 2011 application deadline

^d December 30, 2011 application deadline

^e March 30, 2012 application deadline

^f June 29, 2012 application deadline

^g August 15, 2012 application deadline

^h November 15, 2012 application deadline

ⁱ December 28, 2012 application deadline

^j February 15, 2013 application deadline

^k May 15, 2013 application deadline (*most recent application deadline*)

Appendix. List of State Legislation on Health Insurance Exchanges
(Bill Number is hyperlink to copy of legislation)

State	Bill #	Purpose	Sponsor	Status
Alabama	HB245	Establishment	Wren (R)	Failed
	HB401	Establishment	Wren (R)	Failed
Alaska	SB70A	Establishment	French (D)	Failed
	SB70B	Establishment	French (D)	Failed
	SB70C	Establishment	French (D)	Failed
Arizona	HB2783	Establishment	Meyer (D)	Failed
	SB1524	Establishment	Sinema (D)	Failed
	HB2666	Establishment	McLain (R)	Failed
Arkansas	SB880	Intent	Malone (D)	Failed
	SB904	Intent	Malone (D)	Failed
	HB2104	Intent	Woods (R)	Failed
	HB2130	Establishment	Allen (D)	Failed
	SB859	Establishment	Rapert (R)	Withdrawn
	HB1508	Establishment	Biviano (R)	Enacted
California	SB900	Establishment	Alquist (D)	Enacted
	AB1602	Establishment	Perez (D)	Enacted
Colorado	SB11-200	Establishment	Boyd (D)	Enacted
	HB13-1245	Supplementary	McCann (D)	Enacted
Connecticut	SB921	Establishment	Joint Insurance & Real Estate Com.	Enacted
	SB1204	Establishment	Public Health Committee	Failed
	HB6323	Establishment	Joint Insurance & Real Estate Com.	Failed
	HB5013	Supplementary	Joint Insurance & Real Estate Com.	Enacted
District of Columbia	B19-0002	Establishment	Catania (I)	Enacted
	B20-240	Supplementary	Gray (D)	Pending
Florida	HB1423	Establishment	Pafford (D)	Failed
	SB1640	Establishment	Rich (D)	Failed
Georgia	HB476	Establishment	Smith (R)	Failed
	HB801	Establishment	Gardner (D)	Failed
Hawaii	SB1348	Establishment	Baker (D)	Enacted
	HB2114	Supplementary	Yamane (D)	Failed
	SB2085	Supplementary	Green	Failed

	SB2434	Supplementary	Baker (D)	Failed
	HB877	Supplementary	Souki (D)	Passed
Idaho	HB433	Establishment	Chew (D)	Failed
	SB1042	Establishment	Senate Commerce and Human Resources Committee	Failed
	HB179	Establishment	House Health and Welfare Committee	Failed
	HB248	Establishment	House Health and Welfare Committee	Enacted
Illinois	SB1555	Study Panel	Haine (D)	Enacted
	SB1729	Establishment	Koehler (D)	Failed
	HB4574	Establishment	Osmond (R)	Failed
	HB3227	Establishment	Crespo (D)	Pending
Indiana	SB580	Study Panel	Simpson (D)	Failed
Iowa	SF2042	Establishment	Hatch (D)	Failed
	SF348	Establishment	Hatch (D)	Failed
	SF391	Establishment	Rielly (D)	Failed
	SF375	Establishment	Committee on Commerce	Pending
Kentucky	EO2012-587	Establishment	Beshear (D)	Enacted
Louisiana	SB744	Establishment	Peterson (D)	Failed
Maine	LD1497	Establishment	McKane (R)	Enacted
	LD1498	Establishment	Treat (D)	Failed
	LD1582	Study Panel	Richardson (R)	Enacted
Maryland	HB166	Establishment	O'Malley (D)	Enacted
	SB238	Supplementary	Miller, Jr. (D)	Enacted
	HB361	Supplementary	Hammen (D)	Enacted
Massachusetts	Chapter 58	Establishment	Moore (D)	Enacted
	S554	Supplementary	Moore (D)	Passed
Michigan	SB693	Establishment	Marleau (R)	Failed
Minnesota	HF2290	Establishment	Atkins (DFL)	Failed
	HF2739	Establishment	Murphy (DFL)	Failed
	HF497	Establishment	Gottwalt (R)	Failed
	HF1204	Establishment	Murphy (DFL)	Failed
	HF 5	Establishment	Atkins (DFL)	Enacted
Mississippi	HB377	Study Panel	Warren (D)	Enacted
	HB1220	Establishment	Robinson (D)	Failed

Missouri	SB608	Establishment	Wasson (R)	Failed
	HB609	Establishment	Molendorp (R)	Failed
Montana	HB124	Establishment	Hunter (D)	Failed
	HB620	Establishment	Berry (D)	Failed
Nebraska	HJ33	Study Panel	MacLaren (R)	Passed
	LR85	Study Panel	Pahls (NP)	Referred
	LR293	Study Panel	Campbell (R)	Referred
	LB240	Study Panel	Nordquist (NP)	Failed
	LB835	Establishment	Nordquist (NP)	Failed
	LB838	Establishment	Pahls (NP)	Failed
Nevada	SB440	Establishment	Senate Committee on Finance	Enacted
New Hampshire	SB440	Establishment	White (R)	Failed
New Jersey	S2553	Establishment	Vitale (D)	Failed
	S2597	Establishment	Vitale (D)	Failed
	S1288	Establishment	Van Drew (D)	Failed
	S1319	Establishment	Gill (D)	Failed
	S2135/A3186	Establishment	Gill (D) and Vitale (D)	Vetoed
	S847	Establishment	Vitale (D)	Pending
	S551	Establishment	Gill (D) and Vitale (D)	Pending
New Mexico	SB38/370	Establishment	Feldman (D)	Vetoed
	SB6	Establishment	Feldman (D)	Failed
	SB48	Supplementary	Lopez (D)	Failed
	SB221	Establishment	Shendo (D)	Enacted
New York	S5849	Establishment	Seward (R)	Failed
	S5652	Establishment	Seward (R)	Failed
	EO No.42	Establishment	Cuomo (D)	Enacted
	S6699	Study Panel	Seward (R)	Pending
North Carolina	HB115	Establishment	Dockham (R)	Failed
	HB126	Establishment	Insko (D)	Failed
	SB418	Establishment	McKissick (D)	Failed
North Dakota	HB1126	Intent	Keiser (R)	Enacted
	HB1474	Establishment	Legislative Management (Health Care Reform Review Committee)	Failed
Ohio	SB277	Establishment	Skindell (D)	Failed
	SB88	Establishment	Skindell (D)	Pending

Oklahoma	SB960	Intent	Brown (R)	Failed
	SB1629	Establishment	Bingman (R)	Failed
	HB2130	Establishment	Steele (R)	Failed
Oregon	SB99	Establishment	Courtney (D)	Enacted
	HB4164	Supplementary	Kitzhaber (D)	Enacted
Pennsylvania	HB627	Establishment	DeLuca (D)	Failed
	HB225	Establishment	DeLuca(D)	Pending
Rhode Island	SB87	Establishment	Pativia-Weed (D)	Failed
	EO 11-09	Establishment	Chafee (I)	Enacted
South Carolina	HB3738	Establishment	Mitchell (D)	Failed
Texas	SB1782	Establishment	Ellis (D)	Failed
	HB636	Establishment	Zerwas (D)	Failed
	SB1510	Establishment	West (D)	Failed
	SB1586	Establishment	Ogden (R)	Failed
Utah	HB128	Study Panel	Dunnigan (R)	Enacted
Vermont	H202	Establishment	Larsen (D)	Enacted
	H559	Supplementary	Fisher (D)	Enacted
	S208	Supplementary	Illuzzi (R)	Failed
	H418	Supplementary	Committee on Health Care	Pending
Virginia	HB2434	Intent	Kilgore (R)	Enacted
	HB357	Establishment	McClellan (D)	Failed
	HB402	Establishment	Hope (D)	Failed
	HB464	Establishment	Byron (R)	Failed
	SB922	Supplementary	Watkins (R)	Enacted
Washington	SB5445	Establishment	Keiser (D)	Enacted
	HB2319	Supplementary	Cody (D)	Enacted
	HB1947	Supplementary	Cody (D)	Pending
West Virginia	SB408	Establishment	Minard (D)	Enacted
Wisconsin	SB273	Establishment	Vinehout (D)	Failed
Wyoming	HB50	Study Panel	Committee on Labor	Enacted

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- ¹ Arkansas HB1508, creating an SBM in 2015, was introduced on April 12, 2013, passed by the legislature as an emergency clause on April 18, 2013, and signed into law by Governor Beebe on April 23, 2013.
- ² California's exchange establishment legislation included two complementary bills (SB900, AB1602) signed by Governor Schwarzenegger on September 30, 2010.
- ³ Colorado SB11-200 creating an SBM was signed into law by Governor Hickenlooper on June 1, 2011.
- ⁴ Connecticut SB921 creating an SBM, amended to combine provisions in SB921, SB1204, and HB6323, passed the Senate on May 31, 2011, the House on June 4, 2011 and was signed by Governor Malloy on July, 1 2011.
- ⁵ District of Columbia B19-2 creating an SBM was passed by the DC Council on December 20, 2011 and signed by Mayor Gray on January 17, 2012.
- ⁶ Hawaii SB1348 creating an SBM was signed into law by Governor Abercrombie on July 8, 2011.
- ⁷ Idaho HB248, which incorporates provisions from SB1042 and HB179 to create an SBM, both introduced in January 2013, was signed into law by the Governor Otter on March 28, 2013.
- ⁸ Maryland HB166 creating an SBM was signed into law by Governor O'Malley on April 12, 2011.
- ⁹ Massachusetts Chapter 58 creating the MA Connector was signed into law by Governor Romney on April 12, 2006.
- ¹⁰ Minnesota HB0005 creating an SBM was introduced on January 10, 2013, passed the House and Senate on March 18, and was signed into law by Governor Dayton on March 21, 2013
- ¹¹ Nevada SB440 creating an SBM was signed by Governor Sandoval on June 16, 2011.
- ¹² New Mexico SB221 creating an SBM was signed by Governor Martinez on March 28, 2013.
- ¹³ Oregon SB99 creating an SBM was signed by Governor Kitzhaber on June 17, 2011.
- ¹⁴ Vermont HB202 creating an SBM was signed by Governor Shumlin on May 26, 2011.
- ¹⁵ Washington SB5445 creating an SBM passed the legislature on April 18, 2011 was signed by Governor Gregoire on May 11, 2011.
- ¹⁶ West Virginia SB408 creating an SBM was signed by Governor Tomblin on April 5, 2011.
- ¹⁷ Illinois HB3227 creating an SBM (formerly SB1717) was introduced February 26, 2013 and is pending.
- ¹⁸ Iowa SF375 creating an SBM was introduced on March 11, 2013 and is pending.
- ¹⁹ Maine LD1345 creating an SBM was introduced on April 4, 2013 and is pending.
- ²⁰ Pennsylvania HB225 creating an SBM was introduced on January 22, 2013 and is pending. Pennsylvania HB1544 was introduced on June 18, 2013 and is pending.
- ²¹ Kentucky Executive Order 2012-587, establishing the Kentucky Health Benefit Exchange and Advisory Board, was signed by Governor Beshear on July 17, 2012.
- ²² New York Executive Order 42, establishing the New York Health Benefit Exchange, was signed by Governor Cuomo on April 12, 2012.
- ²³ Rhode Island Executive Order 11-09, establishing the Rhode Island Health Benefits Exchange, was signed by Governor Chafee on September 29, 2011.
- ²⁴ Utah Governor Herbert's administration announced its intent to establish a State-based Exchange on December 14, 2012.
- ²⁵ Colorado HB13-1245 was introduced on March 1, 2013, passed by the legislature on May 6, 2013, and was signed by Governor Hickenlooper on May 23, 2013.
- ²⁶ Connecticut HB5013 was passed on April 27, 2012 during a special session after the close of 2012 session.
- ²⁷ District of Columbia B20-0302 was introduced as an emergency measure and passed by the Council on June 4, 2013. It was signed by Mayor Gray on June 15, 2013.
- ²⁸ Hawaii SB1108 was introduced on January 24, 2013, was passed by the legislature on April 9, 2013, and signed by Governor Abercrombie on May 24, 2013.
- ²⁹ Maryland SB238/HB443 passed the House and Senate on March 30, 2012 and was signed by Governor O'Malley on May 2, 2012.
- ³⁰ Maryland HB361 was signed into law by Governor O'Malley on May 2, 2013.
- ³¹ Oregon HB4164 was signed into law by Governor Kitzhaber on March 8, 2012.
- ³² Oregon HB3458 was introduced on March 14, 2013, passed by the legislature on June 20, 2013, and was signed by Governor Kitzhaber on July 29, 2013.
- ³³ Vermont H559 was signed into law by Governor Shumlin on May 16, 2012.
- ³⁴ Washington HB2319 was signed into law by Governor Gregoire on March 23, 2012.
- ³⁵ Washington HB1947, introduced on February 20, 2013, was passed during a special session on June 28, 2013. It was signed by Governor Inslee on June 30, 2013.
- ³⁶ Massachusetts S554 was introduced January 18, 2013, was passed on January 22, 2013 and is currently awaiting the Governor's signature.

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- ³⁷ Vermont H418, introduced on February 28, 2013, is pending.
- ³⁸ Idaho HB289, introduced on March 12, 2013, failed to pass the legislature.
- ³⁹ New Mexico SB48, introduced on January 7, 2013, failed to pass the legislature.
- ⁴⁰ Arkansas Insurance Commissioner Bradford declared Arkansas's intent to establish a State Partnership Exchange on December 2, 2011.
- ⁴¹ Delaware Governor Markell declared Delaware's intent to establish a Partnership Exchange on November 14, 2012.
- ⁴² Illinois Governor Quinn declared Illinois's intent to establish a State Partnership Exchange in a letter to HHS on October 16, 2012;
- ⁴³ Iowa Governor Branstad declared Iowa's intent to establish a Partnership Exchange in a December 14, 2012 letter to HHS.
- ⁴⁴ New Hampshire HB1297, prohibiting the establishment of an SBE, was passed on June 18, 2012. However, Governor Hassan declared New Hampshire's intent to establish a State Partnership Exchange on February 13, 2013.
- ⁴⁵ West Virginia Governor Tomblin declared West Virginia's intent to establish a State Partnership Exchange on November 21, 2012; SB408 was enacted on May 4, 2011 to establish an Exchange.
- ⁴⁶ Alabama Governor Bentley announced on November 13, 2012 that Alabama would defer to a Federally-facilitated Exchange.
- ⁴⁷ Alaska Governor Parnell announced on July 17, 2012 that the state would be declining a State-based Exchange.
- ⁴⁸ Arizona Governor Brewer announced on November 28, 2012 Arizona's intent to decline a State-based Exchange.
- ⁴⁹ Florida Governor Scott failed to submit a blueprint for a State-Partnership Exchange on February 15, 2013; thus, the state will default to a Federally-facilitated Exchange.
- ⁵⁰ Georgia Governor Deal announced on November 9, 2012 that Georgia will decline a State-based Exchange.
- ⁵¹ Indiana Governor-elect Pence announced on November 15, 2012 that Indiana will decline a State-based Exchange.
- ⁵² Louisiana Governor Jindal's administration announced on March 23, 2011 that Louisiana will not pursue a State-based Marketplace.
- ⁵³ Mississippi Insurance Commissioner Mike Cheney's proposal to establish a State-based Exchange within the state's high risk pool was not approved by HHS on February 8, 2013.
- ⁵⁴ Missouri Governor Nixon announced on November 8, 2012 that Missouri will not create a State-based Exchange.
- ⁵⁵ North Dakota Governor Darlymple stated on November 15, 2012 that North Dakota will defer to a Federally-facilitated Exchange for 2014.
- ⁵⁶ New Jersey Governor Christie vetoed S2135 which would have set up a State-based Exchange, and notified HHS on February 15, 2013 that New Jersey will not participate in a State Partnership Exchange for 2014.
- ⁵⁷ Former North Carolina Governor Purdue announced on November 15, 2012 that North Carolina will participate in a State Partnership Exchange; however, newly-elected Governor McCrory indicated on February 12, 2013 that the state will defer to a Federally-facilitated Exchange.
- ⁵⁸ Oklahoma Governor Fallin announced on November 19, 2012 that Oklahoma will defer to a Federally-facilitated Exchange.
- ⁵⁹ Pennsylvania Governor Corbett announced on December 12, 2012 that Pennsylvania will not to pursue a State-based Exchange but instead would defer to a Federally-facilitated Exchange.
- ⁶⁰ South Carolina Governor Haley indicated in a July 2, 2012 letter to US Senator DeMint, that South Carolina will decline a State-based Exchange.
- ⁶¹ Tennessee Governor Haslam announced on December 10, 2010 that Tennessee will decline a State-based Exchange and in a letter to HHS on February 15, 2013, it will not pursue a State Partnership Exchange.
- ⁶² Texas Governor Perry indicated in a letter to HHS on July 9, 2012 that Texas will not pursue a State-based Exchange
- ⁶³ Wisconsin Governor Walker indicated in a letter to HHS on November 16, 2012 that Wisconsin will decline a State-based Exchange.
- ⁶⁴ Wyoming Governor Mead indicated on November 14, 2012 that Wyoming would defer to a Federally-facilitated Exchange.
- ⁶⁵ Kansas Governor Grownback issued a statement on November 9, 2012 that Kansas will not establish a State-based Marketplace; On February 15, 2013 Commissioner of Insurance Sandy Praeger declared intent for the Kansas Insurance Department to retain control over plan management functions of the Marketplace.
- ⁶⁶ Governor LePage informed HHS on April 18, 2012 that Maine will not be pursuing a state based Marketplace; On March 18, 2013, Superintendent of Insurance Eric Cioppa declared intent for Maine Bureau of Insurance to retain control over the plan management functions of the Marketplace.
- ⁶⁷ Michigan's Department of Insurance and Financial Services announced on June 6, 2013 that Michigan will defer to a Federally-facilitated Marketplace but that DIFS will retain control over plan management functions of the Marketplace.

⁶⁸ Montana Insurance Commissioner Lindeen announced on November 15, 2013 that Montana will defer to a Federally-facilitated Marketplace but declared intent to retain control over the plan management functions of the Marketplace on February 26, 2013,

⁶⁹ Nebraska Governor Heineman indicated on November 15, 2013 his intention to decline a State-based Marketplace. On February 20, 2013, Department of Insurance Director Rame declared intent to retain control over plan management functions of the Marketplace.

⁷⁰ Ohio Lieutenant Governor Taylor announced on November 13, 2012 that Ohio will defer to a Federally-facilitated Marketplace but declared Ohio's intent to retain control over plan management functions of the Marketplace on February 14, 2013.

⁷¹ South Dakota Governor Dugaard announced on December 10, 2010 that South Dakota will decline a State-based Marketplace. South Dakota SB139 was signed by Governor Dugaard on March 8, 2013 to establish the state's plan management functions under a Federally-facilitated Marketplace.

⁷² Virginia Governor McDonnell announced on November 7, 2012 that Virginia will decline a State-based Marketplace but declared Virginia's intent to retain control over plan management functions of the Marketplace on February 14, 2013.

⁷³ Kansas (\$31,537,465), Maryland (\$6,227,454), Massachusetts (\$35,591,333), New York (\$27,431,432), Oklahoma (\$54,608,456), Oregon (\$48,096,307), and Wisconsin (\$38,058,074).