



**Office of Commissioner of
Insurance and Safety Fire**
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BULLETIN 25-EX-02

TO: ALL HEALTH INSURERS OFFERING PLANS ON GEORGIA ACCESS

FROM: JOHN F. KING
INSURANCE AND SAFETY FIRE COMMISSIONER

DATE: SEPTEMBER 5, 2025

RE: CITY OF COLUMBUS V. KENNEDY AND RE-FILING OF 2026 RATES

The Georgia Office of the Commissioner of Insurance and Safety Fire (OCI) is issuing this bulletin to provide updated guidance regarding the federal court litigation in *City of Columbus v. Kennedy*.

On September 4, 2025, the Maryland District Court extended the time for the federal government to respond to its motion for a stay of the preliminary injunction originally issued on August 22, 2025. This extension means the injunction is still in effect, and the provisions of the federal rule at issue in the case, particularly those concerning Actuarial Value (AV) policies, will not be implemented for Plan Year 2026 at this time.

As a result, some previously filed health plans for Plan Year 2026 may be out of compliance with the AV policy as it stands following the injunction. OCI is providing the following guidelines for re-filing rates to ensure continued compliance.

Re-Filing Guidelines for Qualified Health Plans:

To address the impact of the injunction, OCI will allow a limited re-filing period for certain Qualified Health Plans (QHPs).

- **Allowed Re-filings:** Only plans that OCI identifies as being out of compliance with the AV policy due to the court order will be allowed to re-file. OCI will provide issuers with a specific list of these plans.
- **Permissible Changes:** Allowable data changes are only those required to bring the specified plans into compliance with the AV policy. Issuers must provide a clear summary of all changes made with their re-filing.
- **Plan Withdrawal Option:** Issuers have the option to withdraw non-compliant plans instead of re-filing, provided that they will still meet the required metal level offerings in each county within their service area after the withdrawal. This option ensures that consumers will still have a choice of plans while allowing issuers flexibility.

- Re-filing Deadline: OCI requests that carriers submit their re-filings as soon as possible, but all re-filings must be received by OCI no later than Friday, September 12, 2025.

OCI will continue to monitor the ongoing litigation and will provide further guidance as necessary. Small Group plans and off-exchange plans will receive additional information regarding re-filing in the coming weeks. For any questions regarding this bulletin, please contact OCI at (404) 656-2070.



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