

January 8, 2019

Alex M. Azar II
Secretary, Department of Health and Human Services
Health Resources and Services Administration
200 Independence Avenue SW
Washington, DC 20201

RE: CMS–9922–P: Patient Protection and Affordable Care Act; Exchange Program Integrity

Dear Secretary Azar:

On behalf of our more than half a million physician and medical student members, we strongly urge the Centers for Medicare and Medicaid Services (CMS) to put patients first and reconsider the proposed Exchange Program Integrity rule.

Our members provide physical and mental health care services to millions of patients each day. We provide care to children, the aged, those with chronic conditions, people battling addiction, and the many individuals who are seeking prevention and wellness services in an attempt to be healthier. Collectively, we support ongoing implementation of the Affordable Care Act and we remain committed to working with the Administration and Congress to improve our nation’s health care system. We oppose any regulations that make it more difficult for our patients to access critical health services and maintain their insurance coverage.

As proposed, the Exchange Program Integrity rule would place immense administrative burdens on and create considerable confusion for patients that may jeopardize their health insurance coverage. Consumers would be required to send two separate payments for one insurance premium: one for the portion covering overarching health services and the other covering select women’s health services. While we appreciate that issuers will not be permitted to refuse to accept a combined payment or to terminate coverage based on receipt of a combined payment, we are fearful that consumers will fall through the cracks by underestimating the consequences of not paying their premiums in full. Indeed, if a consumer fails to pay their monthly premium payment in full – either intentionally or unintentionally – the consumer will have 90 days from the date of the missed payment to reconcile their balance or risk termination of benefits.

Additionally, the rule imposes additional costs and administrative requirements on health plans that could decrease plans’ willingness to cover comprehensive women’s health services in the Exchanges. This effort is antithetical to CMS’s “Patients Over Paperwork” initiative aimed at reducing administrative burden on health plans and providers. The Administration has provided no convincing evidence that health plans are out of compliance with the requirements to segregate premium funds and this proposal will only burden patients and health plans.

Lastly, the proposed rule interferes with the patient-physician relationship. By limiting access to comprehensive women’s health coverage in the Exchanges, the proposed rule impedes a patient’s ability to make the best medical decision for herself and her family. We believe this

intervention into medical decision-making is inappropriate, ill-advised, and dangerous for the health of our patients.

The Affordable Care Act was created to ensure access to needed care. CMS's proposed regulation will only prevent individuals from getting the care they need, and especially adversely impact women's health. Our organizations oppose efforts to restrict access to basic women's health care in federal and state-based exchanges. We urge CMS to remove this provision before issuing a final rule.

Sincerely,

The American Academy of Family Physicians
The American Academy of Pediatrics
The American College of Obstetricians and Gynecologists
The American College of Physicians
The American Medical Association
The American Psychiatric Association

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About the American Academy of Family Physicians

Founded in 1947, the American Academy of Family Physicians represents 129,000 physicians and medical students nationwide, and it is the only medical society devoted solely to primary care. Family physicians provide comprehensive, evidence-based, and cost-effective care dedicated to improving the health of patients, families and communities. To learn more about the AAFP and family medicine, visit www.aafp.org/media. Follow us on [Twitter](#), and like us on [Facebook](#). For information about health care, health conditions and wellness, visit the AAFP's award-winning consumer website, www.familydoctor.org.

About the American Academy of Pediatrics

The American Academy of Pediatrics is an organization of 66,000 primary care pediatricians, pediatric medical subspecialists and pediatric surgical specialists dedicated to the health, safety and well-being of infants, children, adolescents and young adults. For more information, visit www.aap.org and follow us on Twitter @AmerAcadPeds.

About the American College of Obstetricians and Gynecologists

The American College of Obstetricians and Gynecologists (ACOG), is the nation's leading group of physicians providing health care for women. As a private, voluntary, nonprofit membership organization of more than 58,000 members, ACOG strongly advocates for quality health care for women, maintains the highest standards of clinical practice and continuing education of its members, promotes patient education, and increases awareness among its members and the public of the changing issues facing women's health care. www.acog.org

About the American College of Physicians

The [American College of Physicians](#) is the largest medical specialty organization in the United States with members in more than 145 countries worldwide. ACP membership includes 154,000

internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness. Follow ACP on [Twitter](#), [Facebook](#), and [Instagram](#).

About the American Medical Association

The American Medical Association (AMA) is the largest professional association of physicians, residents and medical students in the United States. Additionally, through state and specialty medical societies and other physician groups seated in its House of Delegates, substantially all U.S. physicians, residents, and medical students are represented in the AMA's policy-making process. The AMA was founded in 1847 to promote the science and art of medicine and the betterment of public health, and these remain its core purposes. AMA members practice in every medical specialty area and in every state.

About the American Psychiatric Association

The American Psychiatric Association, founded in 1844, is the oldest medical association in the country. The APA is also the largest psychiatric association in the world with more than 37,800 physician members specializing in the diagnosis, treatment, prevention and research of mental illnesses. APA's vision is to ensure access to quality psychiatric diagnosis and treatment. For more information, please visit www.psychiatry.org.