

September 18, 2009

Senator John Kerry
218 Russell Senate Office Building
Washington DC, 20510

Dear Senator Kerry,

We are writing in strong support of your amendment to create a more transparent and open process for establishing health plan benefits in the exchanges. Collectively, our organizations represent millions of consumers, patients, providers and workers, many of whom are struggling to afford the care they need to maintain their health and safety as well as their jobs and quality of life.

Although the Chairman's mark requires all Americans to have coverage and spends billions of dollars subsidizing coverage, it fails to establish a clear process for making the key decisions about what items and services should be included in qualifying coverage. In order to ensure that plans offer meaningful coverage and don't use benefit design to cherry pick the healthiest individuals, there needs to be a clear standard for the treatments, items and services to be included within the benefit categories and standards need to be developed with stakeholder input.

We believe this amendment will help improve the development of a federal benefit standard by requiring the Secretary to establish benefit standards for health plans participating in the state exchanges. This process would be informed by an independent Commission to engage in a fully open, transparent, and inclusive process that ensures full engagement of consumers, patients, workers and providers.

In particular, we applaud that your amendment:

- Requires the Secretary to establish standards for the required benefits, including the covered items, treatments, and services within the categories of benefits.
- Requires the Commission to consider the affordability of the benefits covered, the financial protection of enrollees against high health care expenses, and access to necessary healthcare services, including primary and preventive health services.
- Requires an open and public process, including public comment periods.
- Requires the Secretary, on an annual basis, to assess (1) whether enrollees are facing any difficulty accessing needed services for reasons of coverage or cost, and (2) whether the essential benefits package needs to be modified or updated to account for changes in medical evidence or scientific advancement.
- Requires the Secretary to report to Congress and the public on how the benefit package will be modified to address any such gaps in access or changes in the evidence base.

We believe the decisions about the specific services and items that must be covered should not be made solely by health plans. Instead, we believe a council of independent health experts and

stakeholders provides a preferred way to shape a benefit package that is grounded in science and in the best interest of consumers and patients.

Again, we thank you for offering this amendment and are happy to offer our support.

Sincerely,

Advocates for Youth
AFL-CIO
AIDS Action Baltimore
Alliance for Children and Families
American Academy of Child and Adolescent Psychiatry
American Academy of HIV Medicine
American Academy of Home Care Physicians
American Association for Geriatric Psychiatry
American Association for Marriage and Family Therapy
American Association of People with Disabilities (AAPD)
American Cancer Society Cancer Action Network
American Chiropractic Association
American Counseling Association
American Diabetes Association
American Federation of State, County and Municipal Employees (AFSCME)
American Heart Association/American Stroke Association
American Hospice Foundation
American Lung Association
American Nurses Association (ANA)
American Optometric Association
American Psychological Association
American Social Health Association
American Society of PeriAnesthesia Nurses
Association for Ambulatory Behavioral Healthcare
Association of Women's Health, Obstetric and Neonatal Nurses (AWHONN)
Autism Society of America
Bazelon Center for Mental Health Law
Black Women's Health Imperative
BlueWaveNJ
CAEAR Coalition
Campaign for Mental Health Reform
Center for Independence of the Disabled of New York
Center for Medicare Advocacy
CHADD – Children and Adults with Attention-Deficit/Hyperactivity Disorder
Child Welfare League of America
Childbirth Connection
Clinical Social Work Association
Community Catalyst
Consumers Union

Easter Seals
Eastern Maine AIDS Network (EMAN)
FamiliesUSA
Family Equality Council
Health Care For All
Health Care for America Now (HCAN)
HIV Medicine Association
Immune Deficiency Foundation
International Myeloma Foundation
Japanese American Citizens League (JACL)
Malecare Prostate Cancer Support
Maryland Women's Coalition for Health Care Reform
NAACP
National Association of Neighborhoods
National Association of Social Workers
National Coalition For Lesbian, Gay, Bisexual And Transgender Health
National Coalition of Mental Health Consumer/Survivor Organizations
National Congress of the American Indians
National Council of Jewish Women
National Health Law Program (NHeLP)
National Partnership for Women & Families
National Patient Advocate Foundation
National Physicians Alliance
National Spinal Cord Injury Association
National Women's Health Network
National Women's Law Center
NCLR (National Council of La Raza)
New Yorkers for Accessible Health Coverage
Out With Cancer - The LGBT Cancer Project
Parents, Families and Friends of Lesbians and Gays (PFLAG) National
Project Inform
Prostate Cancer International
Raising Women's Voices for the Health Care We Need
Rev. Nancy Wilson, Moderator, Metropolitan Community Churches
SEIU
Sexuality Information and Education Council of the U.S. (SIECUS)
The AIDS Institute
United Neighborhood Centers of America
United Spinal Association
US Psychiatric Rehabilitation Association (USPRA)