

Congress of the United States
Washington, DC 20515

August 18, 2017

The Honorable Thomas E. Price, M.D.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Secretary Price and Administrator Verma:

We are deeply troubled by the Trump Administration's ongoing efforts to undermine the Affordable Care Act's (ACA) health insurance Marketplaces, as the November 1st start of the next Open Enrollment period draws near. The Administration's decision to sharply cut outreach efforts to consumers, after it already shortened the Open Enrollment period to 45 days, seems likely to make it harder for people to learn about – and sign up for – health insurance offered in the Marketplaces. Rather than encouraging enrollment in the Marketplaces, the Administration appears intent on depressing it, which we fear will contribute to destabilizing insurance markets and drive up costs for consumers.

Recent polls suggest that the Administration's decision to cut outreach flies in the face of public opinion. The vast majority of Americans think the Administration should do what it can to make the health care system work, including continued outreach efforts to make it easier for people to sign up for health insurance through the ACA's Marketplaces.¹ Outreach efforts will expand the number of Americans with comprehensive health insurance, improving the makeup of the insurance risk pool, which helps bring down premiums for all enrollees. As Ranking Members of the congressional committees with jurisdiction over health care, we write to you seeking additional information about the Administration's preparation for the upcoming Open Enrollment season, including its plans for consumer outreach.

According to news reports, the Department of Health and Human Services (HHS) has made the decision to significantly scale back call centers tasked with assisting consumers seeking to obtain health insurance coverage through the Marketplaces. On April 10, 2017, the *Waco-Tribune Herald* reported that the General Dynamics Information Technology call center in Lacy Lakeview, Texas, which employed more than 800 Waco-area residents, was scheduled to

¹ Kaiser Family Foundation, *Kaiser Health Tracking Poll – August 2017: The Politics of ACA Repeal and Replace Efforts* (August 11, 2017) (available at www.kff.org/health-reform/poll-finding/kaiser-health-tracking-poll-august-2017-the-politics-of-aca-repeal-and-replace-efforts/).

close on May 31, 2017. Similarly, in Coralville, Iowa, the General Dynamics call center laid off 220 employees on May 31, 2017.² Although a spokesperson for the Centers for Medicare & Medicaid Services (CMS) described the layoffs as part of an effort “to maximize operational efficiency outside of open enrollment periods,” the workforce reduction appears to be permanent. These call centers, which support HealthCare.gov, are a vital resource for individuals seeking health insurance coverage through the ACA. Reductions in call center capacity could have serious implications for the Open Enrollment season, and the ability of consumers to get signed up in a timely manner.

HHS has also decided not to renew Marketplace contracts that provide in-person assistance to consumers looking to sign up for coverage.³ CMS contracts with Cognosante LLC and CSRA Inc. were awarded in 2013 and operated in 19 cities across the continental United States. These Enrollment Assistance Program (EAP) contracts were designed to address gaps in existing outreach and enrollment efforts, such as the Navigator program. We are concerned that the elimination of resources intended to support outreach and enrollment efforts will have a negative impact on enrollment, and we seek additional information on how the Administration plans to fill in any gaps left by the nonrenewal of these contracts.

We are also concerned about the Administration’s lack of transparency regarding funding for the Navigator program.⁴ Navigators play an important role in ensuring individuals are aware of their enrollment options, as well as the availability of financial assistance. Getting people enrolled in the Marketplaces this year may be a particularly challenging task, given the uncertainty introduced by the debate over the Republican health care bill. As some Navigators have observed, many consumers “don’t know that the law is still in effect,”⁵ or have questions about whether they should even purchase coverage “if it sounds like the [P]resident is going to shut down the program.”⁶ Failure to fund the Navigator program could have serious consequences for enrollment, particularly in this environment of uncertainty, and we seek immediate clarity regarding the Administration’s plans for the program.

We also seek additional detail regarding reports that the Administration is abandoning outreach aimed at helping Latinos sign up for coverage in the Marketplaces. Since 2013, HHS has partnered with major Latino organizations to sign up Latinos, who are disproportionately uninsured. According to these organizations, the Administration has made no effort to reach out

² *Call center closing will eliminate more than 800 Waco-area jobs*, Waco Herald-Tribune (Apr. 10, 2017).

³ *Trump administration pulls health law help in 18 cities*, Modern Healthcare (July 20, 2017).

⁴ *Health ‘Navigators’ Brace for Decision on Their Funding*, Wall Street Journal (Aug. 9, 2017).

⁵ *Id.*

⁶ *Trump Admin Abandons Latino Outreach For Obamacare Sign-Ups*, Talking Points Memo (Aug. 10, 2017).

and continue these partnerships to encourage people to sign up for health insurance.⁷ The Administration has also reportedly made no effort to continue partnerships with other organizations, such as health care provider groups, women's groups, African American and civil rights groups, youth organizations, and churches, which the past Administration worked with to encourage robust enrollment during the Open Enrollment period.⁸

Finally, we are troubled by reports that an unknown number of HealthCare.gov customers were erroneously notified that their coverage would be discontinued unless they updated their information—and were then unable to log onto the site.⁹ We seek additional information regarding the Administration's plans to upgrade and maintain HealthCare.gov through the Open Enrollment season.

Given the substantial uncertainty resulting from efforts to jam the Republican bill through Congress and the resulting consumer confusion, as well as the Administration's decision to cut the Open Enrollment period in half, it is critically important that HHS redouble its efforts to ensure that individuals are aware of their enrollment options and eligibility for financial assistance in a timely manner. Additionally, technological issues and call center capacity should not be a limiting factor as individuals seek to sign up for coverage. To better understand the reasoning for the Department's actions, as well as the Department's preparation for the 2018 Open Enrollment period generally, we request that HHS provide a briefing on the following questions by August 31, 2017:

1. Please describe the Administration's outreach and enrollment strategy for 2018 Marketplace plans. In so doing, please provide:
 - a. An itemized list of all planned expenditures related to advertising, marketing, communications and outreach, and any new contracts being contemplated.
 - b. A description of all contracts currently in force for such activities.
 - c. The previous Administration undertook specialized, targeted efforts to reach young adults without health insurance, such as targeting young adults on social media, working with partner organizations, sending direct mail to potential enrollees, and encouraging insurers to contact young adults before they turn 26 to tell them about Marketplace coverage options. Please provide a description of the Administration's outreach and enrollment strategy for young adults aged 18-34 for the 2018 plan year.

⁷ *Trump Admin Abandons Latino Outreach For Obamacare Sign-Ups*, Talking Points Memo (Aug. 10, 2017).

⁸ *Trump HHS Severs Key Partnerships For Obamacare Outreach*, Talking Points Memo (Aug. 14, 2017).

⁹ *Obamacare shoppers mistakenly warned that coverage at risk*, PoliticoPro (July 31, 2017).

2. Does the Administration plan to operate call centers that assist consumers with questions open for the 2018 Open Enrollment season? Please provide:
 - a. The number of call centers that will be open to assist consumers in the 2018 Open Enrollment season. Please include the expected staffing levels, the anticipated wait times, the hours for the call centers, and the dates they will operate.
 - i. Please provide weekly updates on average call center wait times through the end of Open Enrollment.
 - b. A description of expected expenditures for the call centers through the end of the open enrollment season, and a list of the contract(s) currently in force for the operation of the call centers, as well as the name of the contracting officer(s).
 - c. How do the above-requested data for the 2018 Open Enrollment season compare to previous open enrollment seasons?
 - d. Who made the decision to close the Lacy Lakeview call center and to scale back the Coralville call center? Will these call centers be closed permanently? What, if any, analysis was done to determine the impact of closing these call centers? Have any other call centers been closed or had their staffing levels or hours cut?
3. Who made the decision not to renew the CMS contracts with Cognosante LLC and CSRA Inc.? Please provide an explanation of the decision not to renew these contracts, including any plans to reprogram the funds to other outreach and enrollment efforts, any plans to fill the gaps left by these cancelled contracts, and the expected impact on enrollment.
4. Does the Administration intend to continue to award Navigator grants to provide high quality impartial assistance to consumers to understand coverage options and financial assistance available at HealthCare.gov? If not, please explain why.
 - a. When will the Administration begin the process of awarding grants?
 - b. How many grants and total funding levels are expected?
5. Does the Administration intend to continue to conduct targeted outreach in communities that have historically been disproportionately uninsured, such as the Latino and African-American communities? If not, please explain why.

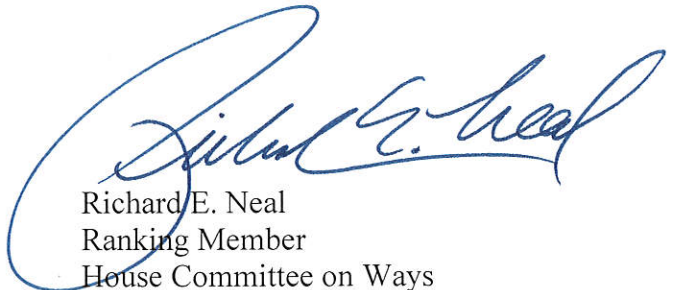
6. Why were a number of HealthCare.gov consumers erroneously notified that their coverage would be discontinued, as reported in *Politico*? How many consumers were affected by this problem?
 - a. Does the Administration plan to continue to provide HealthCare.gov with the basic technical staff needed to operate and maintain the website? Please describe:
 - i. The expected expenditures for technical support and operation of the website through the end of the fiscal year, a description of the contract(s) currently in force, the name of the contracting officer(s), as well as a description of any new contracts contemplated.
 - ii. The Administration's plans for the maintenance of HealthCare.gov for the upcoming open enrollment season, including any new contracts contemplated for technical support, upgrades to the operating platform, or digital content.
 - iii. The expected expenditures for technical support and operation of HealthCare.gov for the 2018 Open Enrollment period as compared to previous open enrollment seasons.

Your prompt attention to this matter is appreciated. Should you have any questions please contact Una Lee of the House Energy and Commerce Committee's minority staff at (202) 225-3641, Melanie Egorin of the House Ways and Means Committee's minority staff at (202) 225-4021, Elizabeth Letter of the Senate HELP Committee's minority staff at (202) 224-6403, Peter Gartrell of the Senate Finance Committee's minority staff at (202) 224-4515, or Kevin Barstow of the Senate Aging Committee's minority staff at (202) 224-0086.

Sincerely,



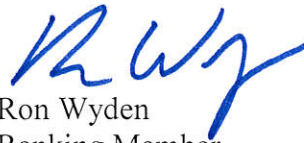
Frank Pallone, Jr.
Ranking Member
House Committee on Energy
and Commerce



Richard E. Neal
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Patty Murray
Ranking Member
Senate Committee on Health, Education,
Labor, and Pensions



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