



April 23, 2018

Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
7500 Security Boulevard
Baltimore, MD 21244-1850

Submitted electronically to www.regulations.gov

Re: Short-Term, Limited Duration Insurance [CMS-9924-P; RIN 0938-AT48]

Dear Sir/Madam:

On behalf of the American Nurses Association (ANA), we are pleased to comment on the Centers for Medicare & Medicaid Services (CMS) proposed rule regarding the provision of short-term, limited-duration health insurance plans. ANA advocates for universal access to a standard package of essential health care services for all citizens and residents. While ANA strongly supports efforts to expand healthcare coverage and to stabilize the individual health insurance market and the American healthcare system writ large, we believe that this proposed rule would not achieve those objectives and would have adverse impacts on Americans with chronic and complex health conditions. We propose that the U.S. Departments of the Treasury, Labor, and Health and Human Services withdraw this proposed rule and instead work with the United States Congress to enact lasting solutions to stabilize the healthcare system.

ANA is the premier organization representing the interests of the nation's 4.0 million registered nurses (RNs), through its state and constituent member associations, organizational affiliates, and individual members. ANA advances the nursing profession by fostering high standards of nursing practice, promoting a safe and ethical work environment, bolstering the health and wellness of nurses, and advocating on health care issues that affect nurses and the public. RNs serve in multiple direct care, care coordination, and administrative leadership roles, across the full spectrum of health care settings. RNs provide and coordinate patient care, educate patients and the public about various health conditions including essential self-care, and provide advice and emotional support to patients and their family members. ANA members also include the four advanced practice registered nurse roles (APRNs): nurse practitioners (NPs), clinical nurse specialists (CNSs), certified nurse-midwives (CNMs) and certified registered nurse anesthetists

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(CRNAs).¹ ANA is dedicated to partnering with health care consumers to improve practices, policies, delivery models, outcomes, and access across the health care continuum.

This proposed rule seeks to expand the sale and use of short-term, limited duration health insurance plans by extending the maximum duration of such plans from three months to twelve months; it also seeks to modify the disclaimer required under current regulations for these types of health insurance plans. ANA is concerned that this proposed rule, combined with the repeal of the individual mandate in December 2017, will result in a higher rate of uninsured Americans, increased individual health insurance premiums in the ACA individual market, and a bifurcated individual insurance market which makes it more difficult for individuals with complex and chronic health conditions to access affordable health insurance coverage.

The Urban Institute recently published a report which details the potential impacts of expanding the sale and use of short-term, limited duration health insurance plans. This study found that the expansion of short-term, limited duration health insurance plans would increase the number of people without minimum essential health benefits coverage by 2.6 million in 2019. The study also found that the expansion of such plans would increase 2019 ACA-compliant individual insurance premiums by 18.3 percent in the 45 states that do not prohibit or limit such plans. Furthermore, the expansion of these plans would increase federal government spending in 2019 (as a result of increased premiums in the individual market).²

The expansion of short-term, limited duration health insurance plans would also create a bifurcated individual health insurance market in which it would be more difficult for individuals with chronic and complex health conditions to purchase coverage. Short-term, limited duration health plans by definition are not required to meet the ACA requirements with respect to essential health benefits, pre-existing conditions protections, and lifetime coverage limits. As such, these plans would likely offer “skinny” and inexpensive coverage attractive to healthy individuals. This would cause the traditional ACA individual marketplace to be skewed toward less healthy individuals with higher healthcare costs, thus causing premiums to increase. This

¹ The Consensus Model for APRN Regulation defines four APRN roles: certified nurse practitioner, clinical nurse specialist, certified nurse-midwife and certified registered nurse anesthetist. In addition to defining the four roles, the Consensus Model describes the APRN regulatory model, identifies the titles to be used, defines specialty, describes the emergence of new roles and population foci, and presents strategies for implementation.

² Blumberg, Linda J., and Matthew Buettgens and Robin Wang. *Updated: The Potential Impact of Short-Term Limited-Duration Policies on Insurance Coverage, Premiums, and Federal Spending*. The Urban Institute: March 2018. Web: https://www.urban.org/sites/default/files/publication/96781/2001727_updated_finalized.pdf

would be a particular burden for individuals with incomes over 400 percent of the Federal Poverty Level who are not eligible for premium subsidies and thus not insulated from rising premiums.

It is clear that the expansion of these insurance plans would have a negative impact on the U.S. healthcare system. ANA alternatively recommends that the Trump administration more broadly work with the United States Congress on bipartisan solutions to strengthen the nation's existing individual health insurance marketplace, restore crucial Cost-Sharing Reduction payments which benefit low-income consumers, and take meaningful steps to ensure lower healthcare costs overall (including lower premium and prescription drug costs). ANA has previously voiced its support for proposals such as that offered by Sen. Lamar Alexander (R-TN) and Sen. Patty Murray (D-WA) to stabilize the individual health insurance marketplace, thereby providing American consumers of all ages and health status with stable and affordable coverage options and in effect reducing the federal government's costs.

ANA welcomes an opportunity to further discuss the issue of short-term, limited duration insurance, essential health benefits, and universal access to comprehensive healthcare coverage for all American citizens and residents. If you have questions, please contact Gregory Craig, Health Policy Advisor at (301) 628-5395 or gregory.craig@ana.org.

Sincerely,



Cheryl A. Peterson, MSN, RN
Vice President for Nursing Programs

cc: Pamela Cipriano, PhD, RN, NEA-BC, FAAN, ANA President
Debbie Hatmaker, PhD, RN, FAAN, ANA Interim CEO

Organizations signing on to this letter:

American Nurses Association-Illinois
American Nurses Association-
Massachusetts
Arizona Nurses Association
California Nurses Association
Colorado Nurses Association
Kentucky Nurses Association
Missouri Nurses Association
Montana Nurses Association
New Hampshire Nurses Association
New Jersey Nurses Association
New Mexico Nurses Association
Pennsylvania State Nurses Association
Virgin Islands State Nurses Association
Washington State Nurses Association

American Academy of Ambulatory Care
Nursing
American Association of Neuroscience
Nurses
American College of Nurse-Midwives
Advanced Registered Nurse Practitioners
United of Washington State
Association of Nurses in AIDS Care
Infusion Nurses Society
National Association of Nurse Practitioners
in Women's Health
Preventive Cardiovascular Nurses
Association
Wound Ostomy and Continence Nurses
Society