

# United States Senate

WASHINGTON, DC 20510

October 15, 2015

COMMITTEES:  
APPROPRIATIONS

BUDGET

HEALTH, EDUCATION,  
LABOR, AND PENSIONS

HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS

The Honorable Sylvia Mathews Burwell  
Secretary  
Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Secretary Burwell:

The Affordable Care Act (ACA) is working to improve the health and economic security of many Wisconsin families through the Health Insurance Marketplace, where over 183,000 Wisconsinites have successfully obtained comprehensive coverage. I applaud the Centers for Medicare and Medicaid Services' (CMS) work during the 2015 open enrollment period in achieving a smooth enrollment process for most Americans, and for assisting even more Wisconsinites in obtaining coverage.

Despite this progress, I have heard alarming reports over the past several months from a number of Wisconsinites who have been kicked off of their coverage or who have lost access to premium tax credits due to a delay in the Marketplace's processing of their paperwork. In these cases, my constituents were notified that they needed to provide updated paperwork due to an inconsistency in their account. Once they submitted the required information, the Marketplace processing office in London, Kentucky failed to process these documents in a timely manner, causing many constituents to lose eligibility and experience a coverage gap. Indeed, my staff and I have been dealing with over 67 of these cases since the beginning of the year, and the CMS regional office still has been unable to fix this issue. In addition, my staff has had difficulty coordinating with CMS staff to help constituents navigate these issues. Unfortunately, these problems are not new. In fact, a June 2014 Office of Inspector General report<sup>1</sup> found that CMS was not able to successfully resolve most inconsistencies during a review period, even when applicants submitted the appropriate data. The report recommended that CMS take steps to fix this issue for 2015 open enrollment, but these problems persist.

It is unacceptable for individuals to be losing access to health coverage or premium tax credit assistance due to administrative mismanagement, and it is critical that these issues be addressed immediately. Wisconsinites need and deserve a well-functioning, streamlined, and timely system for managing their health insurance. As such, I urge you to take immediate action to fix these administrative problems, which are creating confusion and unfairly causing gaps in health care coverage and tax credit assistance. In addition, I would request that you:

- Immediately put in place a plan to ensure continuity of coverage while these administrative issues are being addressed.

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<sup>1</sup> Department of Health and Human Services, Office of Inspector General: Marketplaces Faced Early Challenges Resolving Inconsistencies with Applicant Data, June 2014

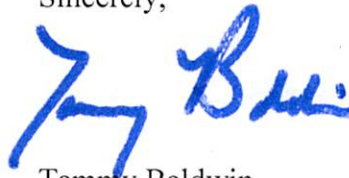
- Establish a point of contact with whom my staff can reach out to resolve these casework issues.
- Ensure that anyone who loses health coverage due to these administrative delays can regain it through a Special Enrollment Period.
- Fully reimburse the value of lost tax credits due to these administrative delays.

In addition, I would like a response on the following questions regarding your efforts to fix these issues:

- How is CMS working to address the issues at the London processing center, and what changes has CMS made since the June 2014 Office of the Inspector General Report that outlined these problems?
- How long is CMS' contract with the vendor responsible for processing these documents, and what system is CMS using to evaluate this vendor's performance for consideration of future contracts?
- How many individuals have experienced coverage gaps while waiting for their information to be processed?
- How many individuals have lost access to premium tax credits while waiting for their information to be processed?

With the open enrollment period for 2016 coverage approaching, it is essential that all aspects of the Marketplace are functioning correctly to ensure that Americans can access and maintain the high quality coverage they need and deserve. I look forward to hearing from you on how we can work together to resolve these issues and any other remaining barriers to accessing quality, affordable health care.

Sincerely,



Tammy Baldwin  
United States Senator

Cc: Andy Slavitt, Acting Administrator, Centers for Medicare and Medicaid Services