

January 29, 2014

The Honorable Kathleen Sebelius
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

As you provide guidance to health insurance companies for participation in the federally facilitated marketplace for 2015, I urge you to closely examine the provider network adequacy standards which are required for the certification of qualified health plans offered on a state's health insurance exchange. I also request that you take steps to provide more information for consumers about the adequacy of the network for each plan sold in the marketplace.

As you know, the Affordable Care Act gives the Secretary of Health and Human Services (HHS) the authority to establish criteria for certification of health plans, and requires that a sufficient choice of providers be available to consumers. The regulations further clarify that all services must be accessible without unreasonable delay. Further, according to the exchange guidance for 2014, CMS relied on state analysis and recommendations on the adequacy of provider networks.

I am concerned that in some areas of my state, the choice of a robust provider network may not be available, as only one insurer is currently participating in New Hampshire's federally facilitated marketplace. That issuer has eliminated ten of the state's 26 hospitals from its provider network for all plans issued through the marketplace, including in the multi-state program plan. As a result, I have heard from consumers who have been left without access to the provider with whom they had built a long-standing relationship.

The Affordable Care Act also requires that information on the availability of in-network and out-of-network providers be made available to enrollees and prospective enrollees. This transparency is critically important so that consumers are well informed on all the components of the plans they are selecting. I urge HHS to create mechanisms through healthcare.gov that will allow consumers to more easily assess the providers participating in health plans offered through the marketplace.

Ensuring enhanced network adequacy in the health plan options and offering better tools for consumer awareness of in-network providers will help many more Granite Staters access quality health care through the marketplace in 2015.

Sincerely,

Jeanne Shaheen
United States Senator