

# United States Senate

December 13, 2018

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

Dear Administrator Verma:

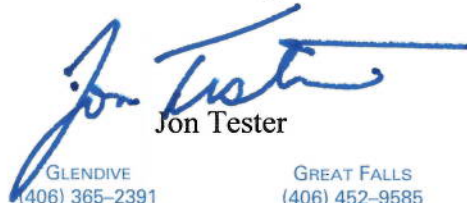
I write to express my concerns with your recent proposals to change the way states can access flexibility under the Affordable Care Act (ACA). The ACA gives states the ability to waive certain requirements and build their own systems to provide health coverage to their residents. However, the law also requires that states must provide comprehensive and affordable coverage to as many people as under the ACA. I am very concerned that your recent guidance and proposed waiver concepts undermine these important protections, and jeopardize access to health care for people with pre-existing conditions.

The ACA ensured that people with pre-existing conditions like asthma, cancer, and diabetes were no longer subject to deadly discrimination in the insurance market. It protects people with pre-existing conditions from higher premiums, restricted coverage, and rejection from coverage altogether. You have already undermined these vital protections by promoting junk insurance like short-term plans, which do not have to meet requirements for pre-existing conditions protections. The proposals you have advanced in recent weeks double down on pushing junk insurance by allowing taxpayer dollars to fund these plans, when what Montanans need is real, affordable coverage.

In addition to discriminating against people with pre-existing conditions, junk insurance can refuse to cover basic services like prescription drugs, maternity care, substance abuse treatment, or mental health care. This "insurance" could leave Montanans high and dry when they need coverage the most, but you are opening the door to federally subsidizing these sub-standard plans. Montanans do not want us wasting their tax dollars on proposals that expose them to higher health care costs. They want us doing everything we can to increase affordability and build on existing protections for pre-existing conditions.

I urge you to reconsider your recent proposals, and instead work with Congress to advance flexibilities for states that make health care more affordable for everyone and protect people with pre-existing conditions. I stand ready to work with you towards this goal, and I look forward to your response.

Sincerely,



Jon Tester