

September 9, 2010

Office of Consumer Information and Insurance Oversight
Department of Health and Human Services
Attention: OCIO-9992-IFC
P.O. Box 8016
Baltimore, MD 21244-1850

Subject: Coverage of Preventive Services Under the Patient Protection and Affordable Care Act
(Interim Final Rules for Group Health Plans and Health Insurance Issuers)

To: Director of Office of Consumer Information and Insurance Oversight

Insurers need guidance for covered preventive services obtained from certain appropriate providers, in many cases doctors of chiropractic. Without such guidance insurers have developed policies that were restrictive, ultimately limiting a patient's ability to access preventive services. Additionally, I have concerns that limiting the waiver for cost-sharing to in-network providers may encourage insurers to limit their provider network thus limiting access to providers able to perform needed preventive services.

I urge HHS to allow both in and out of network providers to perform the covered preventive services at least until 2014 when PPACA Section 2706 takes effect. Section 2706 disallows insurers from discriminating against providers with regard to participation. Once this provision is implemented, concerns regarding access to providers will be eliminated. Ultimately, greater direction to insurers is needed in the regulations to ensure that greater access to preventive services is a reality for patients.

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c: Sen. Patrick J. Leahy
Sen. Bernie Sanders
Rep. Peter Welch