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July 12, 2010

The Honorable Kathleen Sebelius

Secretary

U.S. Department of Health and Human Services

200 Independence Avenue, SW

Washington, DC 20201

Re: Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Dependent Coverage of Children to Age 26 Under the Patient Protection and Affordable Care Act

Dear Secretary Sebelius:

The Healthcare Association of New York State (HANYs), the only statewide hospital and continuing care association in New York State, representing more than 550 non-profit and public hospitals, nursing homes, home care agencies, and other health care organizations, submits these comments in response to the Department of Health and Human Services' (HHS) publication of *Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Dependent Coverage of Children to Age 26 Under the Patient Protection and Affordable Care Act* and related request for comments.

The *Interim Final Rules* were published to implement Section 2714 of the Public Health Service (PHS) Act, which extends group health insurance coverage to children until they reach age 26. HANYs is pleased that Section 2714 of the PHS Act will enable young adults under the age of 26 to remain on a parent's group health plan, and New York's own age extender law will help adult children ages 26 through 29 to continue their health insurance coverage under the Consolidated Omnibus Budget Reconciliation Act. Together, these rules will improve access to health insurance coverage for young adults in New York and across the nation.

HANYs applauds HHS for designing the *Interim Final Rules* to restrict insurance plans' ability to define "dependent" for eligibility purposes to the relationship between a child and the plan participant or primary subscriber. The elimination of categorical distinctions such as financial dependence, residency, student status, and employment in defining dependent is an important step toward increasing participation in the health insurance market.

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Moreover, the broad application of the *Interim Final Rules* to both fully insured and self-insured group health plans, and to grandfathered plans after January 1, 2014, will help bring coverage to more young adults, reducing the overall cost of health care to state and federal governments.

HANYS supports the *Interim Final Rules* and appreciates this opportunity to submit comments. Extending group health insurance to children until the attainment of age 26 may help to reduce the financial burden that our member hospitals shoulder after rendering services to young adults who have become uninsured. HANYS believes that enhanced access to group health insurance will benefit patients and providers alike.

If you have questions about our comments, please contact Jeffrey Gold, Vice President, Managed Care and Special Counsel, at (518) 431-7730.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Sisto". The signature is fluid and cursive, with the first name "Daniel" written in a larger, more prominent script than the last name "Sisto".

Daniel Sisto
President

DS:dd