



September 17, 2010

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

**Re: Comments to Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services under the Patient Protection and Affordable Care Act**

Dear Sir or Madam:

The National Business Coalition on Health (NBCH) appreciates the opportunity to comment on the interim final rules for group health plans and health insurance issuers relative to coverage of preventive services under the Patient Protection and Affordable Care Act (PPACA), which were issued by the U.S. Department Health and Human Services on July 19, 2010. We appreciate the time and consideration given to our following comments.

In terms of background, NBCH is comprised of a national network of state and local health coalitions, which represent 7,000 public and private employers, namely self-insured employers, who voluntarily provide health insurance to 25 million Americans. The cornerstone of our health care policy platform is to ensure our nation has a sustainable, accessible, and affordable high quality health care delivery system. We firmly believe that the more knowledgeable and accountable providers and consumers, the more stable and predictable our health care system will be.

NBCH and our member employer coalitions have a long history of value-based purchasing and insurance design of health benefits and working as an organization, namely through the eValue8 health plan performance evaluation instrument, to encourage member coalitions, employers and providers to collaborate at the local, regional, and national level to improvement in the quality, safety, and efficiency of health care. A transparent health care system in which the price and outcomes of standardized measures is available to the public is essential to our national, as well

as our local coalition efforts to improve the quality and value of health care. It is vitally important that our member coalitions, their employer members and the plans that they work with have the flexibility to appropriately design and modify health care benefits to ensure the ability to continue to deliver high-value health care to employees and their dependents.

With regard to the PPACA preventive services regulations, in general, NBCH and our member coalitions agree that preventative services should be covered. In fact, a sizeable proportion of our coalition members' employers provide plans with generous coverage for preventative services. At the same time, we are concerned about coverage mandates and the impact on cost and the flexibility to design the most effective and efficient benefit package for their employee population. The mandated coverage of preventative services is a major factor being considered by employers in the decision on whether to maintain grandfathered status.

We also are concerned with the impact the regulation will have on value-based insurance design (VBID) capabilities. Throughout the health care reform debate, the Administration praised the merits of VBID toward long-term, effective health care delivery reform and cost-containment so it would be unfortunate for this promising concept to be subdued by the new coverage requirement. The requirements for prevention coverage are extensive. The requirements should apply to in-network providers, unless of course the care is not available in-network. Employers truly need to have mechanisms in place to control costs, as well as maintain the ability to manage access to out-of- network.

Further, while many employers associated with NBCH coalition members understand the value of providing preventive services and are doing so in a cost-effective manner, they are concerned that mandating the coverage will make it difficult to keep prices competitive, particularly for major, expensive procedures like colonoscopy. Clarification is needed relative to what will constitute VBID, currently it is not clear whether employers could implement reference pricing or another strategy to keep costs down and value high.

Thank you for your consideration of these comments. If you have any questions, please do not hesitate to contact me at [awebber@nbch.org](mailto:awebber@nbch.org), or 202.775.9300.

Sincerely,

A handwritten signature in black ink that reads "Andrew Webber". The signature is written in a cursive, flowing style.

Andrew Webber  
President and CEO