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September 20, 2010

Ellen Kuhn  
Office of Consumer Information and Insurance Oversight  
Department of Health and Human Services  
Hubert H. Humphrey Building, Room 445-G  
200 Independence Avenue, SW.  
Washington, DC 20201

**Attention: OICIO-9993-IFC**

Dear Ms. Kuhn:

The Children's Dental Health Project (CDHP) appreciates the opportunity to comment on the Group Health Plans and Health Insurance Issuers Relating to Internal Claims and Appeals and External Review Processes Interim Final Rule with Comment Period (the Interim Final Rule) under the Patient Protection and Affordable Care Act (ACA). As an organization with a goal of achieving equity in oral health to allow all children to reach their full potential, CDHP views these rules as critical to assuring children have access to dental care.

The consumer protections included in ACA are essential to make genuine reforms in our health care system. We applaud the strong emphasis of ACA on consumer protections and we support the creation of federal standards to assist families receive necessary services that families understand to be covered by their insurance. ACA established pediatric dental care as a required component of the Essential Benefits Package within Exchange coverage. With this requirement are applicable consumer protections. However, the National Association of Insurance Commissioners Model Act's Section 4.b "Applicability," exempts dental coverage from external appeals for adverse determinations. We urge you to consider including dental benefits in the definition of insurance that allows beneficiaries the opportunity for an external appeal. Without this opportunity, families may be left with no recourse for obtaining the comprehensive benefits established in the law.

We urge your assurance to educate families on the breadth of coverage and rights to achieving that coverage afforded to them as they enroll in insurance covered by these regulations. We remain concerned about the significant inconsistencies that are likely to take place across the country and we urge federal authorities to provide strong leadership in monitoring and enforcing these and other regulations. If you have any questions or need additional clarification, please contact Meg Booth at [mbooth@cdhp.org](mailto:mbooth@cdhp.org) or 202.833.8288.

Sincerely,

Catherine Dunham, Ed.D.  
Executive Director

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