To: Commissioner Michael Considine, Pennsylvania Department of Insurance  
Honorable Dominic Pileggi, Senate Majority Leader  
Honorable Jay Costa, Senate Minority Leader  
Honorable Mike Turzai, House Majority Leader  
Honorable Frank Dermody, House Minority Leader  
Honorable Nicholas Micozzie, Chair House Insurance Committee  
Honorable Anthony Deluca, Vice Chair House Insurance Committee  
Honorable Matthew Baker, Chair House Health Committee  
Honorable John Meyers, Vice Chair House Health Committee  
Honorable Donald White, Chair of Senate Banking and Insurance Committee  
Honorable Michael Stack, Vice Chair of Senate Banking and Insurance Committee  

Date: September 10, 2012

RE: Request for Public Hearing and Opportunity to Provide Input on Pennsylvania’s Essential Health Benefits Package

In light of the recent ruling of the Supreme Court of the United States regarding the Affordable Care Act, (ACA) it is imperative that Pennsylvania recognize the importance of the state’s decision regarding Pennsylvania’s Essential Benefits (EHB) package. The EHB decision will have a far-reaching impact on Pennsylvania families, individuals, and small businesses for several years. The EHB is one of the most important regulatory tasks required by the ACA and one that warrants an open and transparent decision-making process. The undersigned groups respectfully request and urge the Pennsylvania Department of Insurance as well as the General Assembly hold public hearings regarding the EHB package as soon as possible.

As you know, each state must identify a “benchmark plan” for the individual and small group markets for plans sold both inside and outside of the exchange. It is to be chosen from one of four categories: 1) The largest of one of the three largest small-group products in the state; 2) one of the three largest state employee plans; 3) one of the three largest Federal Employee Health Benefit Plans; or 4) the state’s largest non-Medicaid HMO. The selection will serve as a baseline for the development of Pennsylvania’s EHB package, and then additional choices will have to be made if necessary to cover all categories of essential benefits listed in the ACA. The deadline for the state to make a decision regarding its EHB package is fast approaching. If Pennsylvania does not actively make a decision, a default option will apply.

To ensure a transparent and accountable process, consumers and providers must have a voice in the selection of the EHB and continue to provide feedback as the process unfolds in Pennsylvania. Opportunities for consumer input and engagement with state officials and other stakeholders should be pursued by the Insurance Department, the General Assembly, and the Governor’s office. We therefore urge you to commit to the first step in an active engagement process by holding a public hearing on the Essential Health Benefits Package in Pennsylvania. It
is also impetorative that prior to a decision that all plan options be made public so that consumers can provide appropriate feedback.

Thank you in advance for your consideration. If you have any questions or wish to discuss further, please contact Antoinette Kraus with the Pennsylvania Health Access Network at akraus@pahealthaccess.org or 267-971-1680 or Erin Cusack with Maternity Care Coalition at ecusack@maternitycarecoaltion.org or 215-989-3586.

Sincerely,

    Adagio Health
    Center County Now
    Chester County Midwives Alliance of Pennsylvania
    Chestnut Ridge Counseling Services
    Community Legal Services
    Consumer Health Coalition
    Delaware Valley Association for the Education of Young Children
    Family Health Council of Central Pennsylvania
    Health Federation of Philadelphia
    Jewish Social Policy Action Network
    Maternal and Child Health Consortium of Chester County
    Maternal and Family Health Services
    Maternity Care Coalition
    Mental Health Association in Pennsylvania
    Mental Health Association of SEPA
    Midwives Alliance of Pennsylvania
    National Nursing Centers Consortium
    National Physicians Alliance Pennsylvania
    New Voices Pennsylvania: Women of Color for Reproductive Justice
PA Perinatal Partnership
Pathway's PA
Penn Action
Pennsylvania Association of Certified Nurse Midwives
Pennsylvania Budget and Policy Center
Pennsylvania Health Access Network
Pennsylvania Now
Pennsylvania Psychiatric Society
Pennsylvania Psychological Association
Pennsylvania Mental Health Consumers Association
Pennsylvania Community Providers Association
Pennsylvania Dietetic Association
Philadelphia Coalition
Philadelphia Unemployment Project
Planned Parenthood Advocates Pennsylvania
Public Citizens for Children and Youth
University of Pennsylvania School of Nursing
Women's Law Project
Women's Way