



July 28, 2021

The Honorable Janet Yellen
Secretary
Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
7500 Security Boulevard
Baltimore, MD 21244

Re: Patient Protection and Affordable Care Act; Updating Payment Parameters, Section 1332 Waiver
Implementing Regulations, and Improving Health Insurance Markets for 2022 and Beyond
Proposed Rule

Filed electronically at <http://www.regulations.gov>

Dear Secretary Yellen, Secretary Becerra, and Administrator Brooks-LaSure:

The National Coalition for Cancer Survivorship (NCCS) is dedicated to ensuring that all cancer survivors have access to quality care. We pursue this goal through public policy efforts to ensure health insurance access, improve the overall quality of cancer care, and foster cancer care payment and delivery reforms to enhance access to high-quality, coordinated care. We represent all survivors of all forms of cancer.

We offer our overall support for the proposed Notice of Benefit and Payment Parameters (NBPP) for 2022. We appreciate that you have reviewed and, in some cases, modified or reversed certain policies, including some policies included in previous parts of the 2022 NBPP.

We specifically note the provisions of the proposed rule below, which we believe will serve the interests of cancer survivors and other Americans.

Revision of Navigator Program Standards

We are pleased that the proposed rule would reinstitute the requirement that Navigators in the federally facilitated exchanges provide information regarding certain post-enrollment topics, including basic concepts and rules related to health insurance coverage and how to use it, information about the premium tax credit (PTC) reconciliation process, and the filing of appeals of Exchange eligibility determinations.

In the NCCS Annual State of Survivorship Study, released in June 2021, we surveyed more than 1,100 cancer patients and survivors nationally, with quotas to make sure the sample was representative by age, gender, race/ethnicity, and region. We found that more than one-third (37%) of respondents said that they needed help in understanding insurance. Subgroups of respondents were even more likely to have concerns about understanding insurance, including 66% of survivors between the ages of 18 and 39, 51% of Latino survivors, 45% of women, and 40% of low-income respondents.

Respondents also indicated that they have serious concerns about getting and keeping insurance (33%), about the cost of medical care (47%), and about the financial support that they need to get through treatment (42%). These needs are urgent when one is diagnosed with cancer, and we are pleased that the proposed rule would ensure that Navigators can provide applicants for exchange plans assistance on these important topics. The choice of a plan and knowledge about coverage are not the only challenges for cancer patients, as we note above. However, ensuring that Navigators provide assistance on these topics will provide an important benefit to cancer survivors. We wholeheartedly support this change.

Open Enrollment Period Extension

We at NCCS know from direct feedback from cancer survivors that evaluating insurance options – whether through the exchanges or employment coverage or even Medicare – is a significant challenge. Cancer survivors must evaluate the adequacy of coverage that a plan provides against the cost of premiums and the burden of cost-sharing responsibilities to identify their best options.

The shortening of the ACA open enrollment period to 45 days over a period during the previous administration has created challenges for those attempting to make informed decisions about plans and to complete the enrollment process. Cancer organizations that provide direct services and insurance counseling know from input from patients that the shortened enrollment period has certainly not facilitated informed enrollment choices.

We support the extension of the enrollment period to 75 days and support permitting state-based marketplaces to have enrollment periods beyond 75 days if they prefer.

Special Enrollment Period for Low-Income Individuals Eligible for APTC

We lend our support to the proposal to establish a special enrollment period (SEP) for those with a household income less than 150 percent of the federal poverty level who are eligible for advance payments of the premium tax credit (APTC). We believe that people diagnosed with cancer are among those who qualify for free coverage but have not enrolled to date, because of fears about affordability or lack of knowledge of their options. A SEP for them may unlock access to insurance and then to the care they need for their cancer diagnosis.

Repeal of Exchange Direct Enrollment Option

We did not support the Exchange Direct Enrollment (DE) option for states, which would have moved the states exchanges toward privatization through use of insurers, web-brokers, and agents and brokers who would conduct direct enrollment. We thought that this move toward direct enrollment posed special challenges for cancer survivors, who need comprehensive cancer care and protection from pre-existing condition limitations. In a direct enrollment system, cancer survivors might be at heightened risk of purchasing a non-qualified health plan that would not cover their pre-existing conditions.

We commend the decision to repeal Exchange DE.

Network Adequacy

NCCS supports the decision of HHS to reevaluate network adequacy standards for plans offered through the Federally Facilitated Marketplace (FFM). We look forward to this review, which we hope will clearly define the network standards and provider directory standards. The ACA requires an adequate network of providers and up-to-date provider directories, but those requirements are not meaningful without clear definition of them. NCCS will participate actively in the evaluation of these standards when the Department embarks on it.

We can say at the outset that the needs of cancer survivors are complex, as patients require multidisciplinary care including surgery, drug therapy, and radiation therapy. They also require comprehensive care across the continuum of care, and their specific cancer care needs and survivorship care needs may shift over time. They often require an expansive network of providers to meet their cancer care needs from diagnosis through treatment and survivorship. We look forward to the opportunity to address network adequacy issues soon.

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NCCS appreciates the opportunity to comment on exchange rules for 2022. The proposal includes several provisions that will protect cancer patients and other individuals with serious illnesses by helping them enroll in adequate and affordable health coverage and use that coverage effectively to gain access to quality cancer care.

Sincerely,



Shelley Fuld Nasso, MPP
Chief Executive Officer