



American Cancer Society ☞ Children's Defense Fund/New York ☞ Center for Working Families  
Community Service Society of New York ☞ Metro New York Health Care for All Campaign  
New Yorkers for Accessible Health Coverage ☞ New York Immigration Coalition  
Public Policy and Education Fund of New York/Citizen Action of New York

Jay Angoff  
Director  
Office of Consumer Information and Insurance Oversight  
Department of Health and Human Services  
Room 738-G, Hubert H. Humphrey Building,  
200 Independence Avenue, S.W.  
Washington, DC 20201

Dear Mr. Angoff:

We are writing to congratulate you on the successful launch of the new website, [www.healthcare.gov](http://www.healthcare.gov), which is extremely well designed, particularly in light of the short timeline. One of the most critical aspects of successful implementation of health care reform will be ensuring that consumers can access their new coverage options, and this website provides a great deal of information already. We can see that the design incorporates many of the recommendations made by consumer advocates. The language is simple and easy to read and there are ample opportunities for users to provide feedback.

We understand that HHS will be continuing to develop the website. We have some feedback to help guide these updates. Our comments concern five areas:

1. New York State-specific information
2. Consumer assistance programs
3. Language access
4. Consumers with disabilities
5. Commercial Coverage

#### **1. New York State-specific information**

The area in which we noticed the most significant gaps was in information about coverage options and regulations specific to New York State. On such a short timeline, it is not surprising that the

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web portal does not have more complete information about the very different state options. We urge HHS to update state information accurately. We prepared a list of areas in which the New York State information should be made clearer.

### Mini-COBRA

New York state has a mini-COBRA law that covers most workers not covered by the federal law. Last year, New York also passed a law that allows New Yorkers with coverage under COBRA or mini-COBRA to keep that coverage for up to 36 months, rather than the 18 months generally available under COBRA. This information, and a link to a New York State Department of Insurance website explaining these provisions, should be included on the New York State COBRA information page of the web portal.

### Coverage for Young Adults Under Age 26

This section does not mention New York State's law allowing young adults between the ages of 26 and 29 to remain on their parent's coverage. We urge HHS to insert the following language:

In addition, because of a new state law, young adults between the ages of 26 and 29 living in New York can also choose to stay on their parent's coverage, but the parent or child will be responsible for a separate premium for this young adult option (over and above what the parent pays for their group coverage). To find out how to keep your child covered, speak to your employer's human resources office.

### Medicaid

This section only mentions Medicaid. It should also include Child Health Plus and Family Health Plus (our Medicaid expansion program) in the Highlighted Tab to the Left as well as embedded in the text. Below is some suggested language for each of the programs and on how to receive assistance to enroll.

### Family Health Plus

Family Health Plus is a health insurance program for low-income New Yorkers ages 19-64 whose incomes are too high for Medicaid and who do not have other insurance. Family Health Plus has no premiums but there are modest co-payments for some services.

Benefits: Family Health Plus provides health coverage for a wide range of medical services including doctor visits, hospital care, emergency care, prescription drugs, smoking cessation products, lab tests and x-rays, mental health services, eye glasses, dental services (if offered by the health plan) and more. Family Health Plus has some limits on services.

Individuals enrolled in Family Health Plus will receive health care through a managed care plan. Adults must select a health plan as part of the application. They then visit the health plan's network of doctors, health centers and hospitals. Through this health plan, they will have a regular doctor who they can go to for well check-ups and when they are sick. This doctor can help refer the participant to a specialist, if needed.



## Child Health Plus

Nearly every uninsured child is eligible for Child Health Plus, regardless of immigration status. Child Health Plus is a free or low-cost health insurance program for uninsured children who are 18 years of age or younger living in New York who are not eligible for Medicaid or are not currently enrolled in coverage through their employer. Depending on a family's income, a family will be required to pay an affordable monthly premium offered on a sliding fee scale.

Benefits: Child Health Plus provides comprehensive health coverage for a wide range of medical services including regular doctor visits, vaccinations, hospital care, emergency room care, prescription drugs, lab tests and x-rays, eye glasses, speech and language services, dental and medically necessary orthodontia care, durable medical equipment and much more.

For more information about Child Health Plus call the toll free hotline: 1-800-698-4543 (1-877-898-5849 TTY line for hearing impaired)

## Medicaid for Pregnant Women and Teens

New York also offers comprehensive prenatal care for pregnant women and their babies. To find out more information and to get a referral to a pregnancy care provider, call 1-800-522-5006 or go to <http://www.health.state.ny.us/nysdoh/pcap/index.htm>

## Finding Care You Can Afford

The Finding Care You Can Afford section links to free or below cost care under Hill-Burton, a federal law that required some free care in exchange for a capital grant or loan. The problem is that many of the hospitals with this obligation have been certified as meeting the obligation, and no longer are required to provide the free or below cost care. This needs to be customized for local conditions.

Instead the site should refer to New York's Hospital Financial Assistance law that requires over 200 general hospitals in the state to provide free or discounted care to uninsured patients who cannot afford to pay for care. New York State Department of Health has a website that explains the law to consumers and allows consumers to search for a local hospital that is required to provide financial assistance. The website is available at <http://hospitals.nyhealth.gov/psa.php>.

There are many other resources available to help consumers find sources of free or discounted care in their communities and these resources should be added to this page. Here are a few of the resources:

For a directory of New York City's Health and Hospitals Corporation:

<http://www.nyc.gov/html/hhc/html/facilities/directory.shtml>

For the New York City Human Resources Administration's listing of resources for the uninsured:

<http://www.nyc.gov/html/hia/html/resources/resources.shtml>



For the Community Health Care Association of New York:

<http://www.chcanys.org/>

## **2. Consumer assistance programs**

In our response to HHS's request for comments on the web portal, we suggested that the website provide information about consumer assistance programs available in the state. We notice that this information is not yet included in the site. We recommend adding the following information:

### **Help with enrolling in public health insurance**

CALL 1-877-934-7587

To find out if you are eligible to enroll in public health insurance, you may contact a Facilitated Enroller in your community. Facilitated Enrollers are community-based organizations and health plans who will screen you for eligibility, help you collect the right documents, fill out the application and make sure your application is processed. The Facilitated Enroller can also help you understand how managed care works. For help finding an enroller you can call 1-977-934-7587.

### **Help getting, keeping, and using health coverage**

CALL 1-212-614-5400

Community Health Advocates supports individuals and communities to navigate New York's healthcare systems and services. We can provide free services in over 12 languages to:

- ✓ Assist you in getting the health coverage you need;
- ✓ Educate you on how to use your health insurance once you are enrolled;
- ✓ Assist you to make sure you are getting the best care possible.

## **3. Language access**

As advocates representing diverse communities in New York State, we are concerned that there is no information available for consumers with limited English proficiency (LEP). Federal law requires that HHS provide meaningful access to this service to LEP consumers. We have heard that the entire website will be translated into Spanish and maintained in both English and Spanish. This is an excellent first step.

But HHS must do more to make the site accessible to LEP consumers. Over 5 million New Yorkers speak a language other than English at home. Immigrants are a vital part of New York's communities, and we urge the Secretary to improve the language access aspects of the website. It may not be feasible to translate the entire website into every language spoken in the United States, but it would not be overly burdensome to translate it into the six most commonly spoken languages other than English.



HHS can find ways to provide access to speakers of other languages, including providing a hotline number where consumers can get the information they need in their own language.

#### **4. Consumers with disabilities**

Consumers with disabilities are among those most in need of accurate, comprehensive information about health access options. We note that the website does not always contain accurate information for these consumers. For example, a discussion about the Medicare Part D rebate only mentions that it is available to seniors, but does not mention disabled Medicare beneficiaries. And a discussion of health disparities fails to mention people with disabilities as a category of people who experience significant health disparities.

The people with disabilities category is an excellent idea, including the ability to select individual with a medical condition or health problem, special healthcare need, and nursing home or long term care. The specialized information about programs that are available if you have breast or ovarian cancer is also helpful. However, the decision tree will need some adjustments. For example, if a consumer with a disability selects the option “I need health insurance,” Medicare is included as one of the options. But if the consumer selects “I have been rejected for coverage because of my disability,” Medicare is erroneously not included.

The long term care section of the website mentions Home and Community Based Care, but is not customized to explain programs like New York State’s Nursing Home Transition and Waiver Program or Money Follows the Person in New York State. The “learn more” link takes you first to the site of National Association of State Medicaid Directors and then to New York’s Medicaid website, which does not feature long term care. A much better link would be the New York Department of Health Long Term Care page, at [http://www.nyhealth.gov/facilities/long\\_term\\_care/](http://www.nyhealth.gov/facilities/long_term_care/).

#### **5. Commercial Coverage**

We look forward to the improvement planned for the private coverage section. Currently, the section can be hard to navigate without assistance. The site has identified the key concerns for consumers – the plan benefits, the provider network, and the drug formulary – when considering a plan, but not all plans have provided links and pricing information is not yet available.

We hope that the October version will include the ability to customize the material and build custom plan comparisons. Consumers should be able to search for plans that include their provider and their drugs. They should also be able to compare plans by: the monthly premium; annual deductible; annual out-of-pocket maximum; and cost sharing for inpatient hospital stays, doctor visits, specialist visits, generic and brand name prescription drugs, emergency room, radiology, laboratory, outpatient surgery, outpatient mental health, outpatient substance abuse, Physical Therapy and Occupational Therapy. Our consumers are also interested in knowing whether coverage includes alternative approaches, which are often cheaper, such as chiropractic, homeopathy, acupuncture, and nutrition.



The comparison site should also include information on claims payment policies and practices, data on enrollment and disenrollment, information about an insurer's denial rates, internal and external consumer appeal rates, as well as how often these appeals have been won. It should include information about the insurer's National Committee for Quality Assurance (NCQA) ratings, information about disciplinary actions against the insurance company by state or federal regulators, and other quality information that can help consumers choose a strong and reliable insurance company.

Thank you for your efforts to improve consumer access to information about health coverage. The web portal will make a difference for many consumers. We hope that our feedback is helpful to your efforts. Please do not hesitate to contact us for any further information.

Sincerely,

Elisabeth Benjamin, MSPH, JD  
Vice President of Health Initiatives  
Community Service Society of New York