

Congress of the United States

Washington, D.C. 20515

April 6, 2016

The Honorable Andy Slavitt
Acting Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Acting Administrator Slavitt:

We are writing to urge the Centers for Medicare and Medicaid Services (CMS) to create a system to educate, and notify people who are purchasing health insurance through the Health Benefit Marketplaces that they are nearing Medicare eligibility. We commend the action taken by CMS in the recent proposed rule improving and clarifying provisions in the Affordable Care Act (CMS-9937-P), and are encouraged by your request for comment on Medicare notices.

We echo the concerns of many Medicare experts who have noted that failure to notify Americans of upcoming Medicare eligibility—or implementing a limited notification system—will negatively impact millions of Americans. As you know, people nearing Medicare eligibility do not receive notification of eligibility, which can cause both financial and administrative obstacles to receiving affordable, quality health care. Individuals who may be unaware that they must cancel their private coverage, or those who fail to do so in a timely manner, may face financial consequences associated with dual enrollment. Moreover, confusion around enrollment can lead to tax and premium penalties, as well as significant gaps in coverage for seniors around the country.

In order to protect Americans—many of whom are elderly or people with disabilities—we ask that CMS act quickly to create an outreach plan to notify impacted enrollees. CMS should create a notification program to make certain that they receive adequate and clear information outlining the Medicare eligibility and enrollment guidelines. Additionally, eligible Americans should be notified that access to premium tax credits is terminated when they become Medicare eligible, whether or not they actually enroll in Medicare. A robust outreach and notification system will ensure Medicare-eligible people move off of the State and Federal Marketplaces and enroll in Medicare in a timely fashion, and fill an important and unmet need for millions of Americans.

The Affordable Care Act improved coverage and consumer protections in both private health insurance and Medicare. It is imperative that CMS work with advocates, Medicare experts, and community stakeholders to ensure Americans do not experience tax penalties or gaps in health coverage simply because they were unaware of their impending Medicare eligibility.

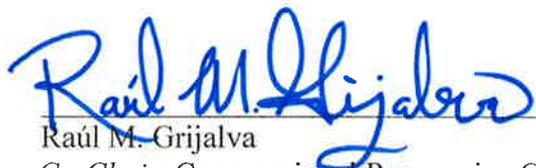
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As leaders of the Congressional Progressive Caucus, we stand ready to work with CMS as you continue to implement and improve the Affordable Care Act.

Sincerely,



Keith Ellison
Co-Chair, Congressional Progressive Caucus



Raúl M. Grijalva
Co-Chair, Congressional Progressive Caucus



Jan Schakowsky
Member of Congress