



May 3, 2022

The Honorable Rosa DeLauro
Chair, Subcommittee on Labor,
Health and Human Services, Education,
and Related Agencies on Appropriations

The Honorable Tom Cole
Ranking Member, Subcommittee on Labor
Health and Human Services, Education,
and Related Agencies on Appropriations

The Honorable Patty Murray
Chair, Subcommittee on Labor,
Health and Human Services, Education,
and Related Agencies on Appropriations

The Honorable Roy Blunt
Ranking Member, Subcommittee on Labor
Health and Human Services, Education,
and Related Agencies on Appropriations

Re: Consumer Assistance Program Funding – FY23 Appropriation

Dear Chairwoman DeLauro, Ranking Member Cole, Chairwoman Murray, and Ranking Member Blunt:

Our 88 organizations are dedicated to improving and protecting the health of all people living in the United States. Together, we collectively represent millions of patients, consumers, providers, and health care advocates. We understand that access to, and assistance with, high-quality health coverage is necessary for individuals and families to stay healthy, address their health needs, and flourish economically. Further, as the *No Surprises Act* is implemented, we know that programs aimed at helping consumers navigate their new rights will be critical to ensuring the law. Therefore, we write to you in strong support of funding for a critically important consumer-focused service, Consumer Assistance Programs (CAPs), in the Fiscal Year 2023 Labor, Health and Human Services, Education, and Related Agencies appropriations bill.

Consumers Struggle to Navigate their Coverage

A multitude of studies and reports support what our constituents know firsthand – that our coverage system is complex and can easily overwhelm patients and consumers.^{1,2,3,4} A Kaiser Family Foundation survey of privately insured individuals found that nearly half of enrollees had encountered a problem using their coverage, such as denied claims, network challenges, or eligibility issues that they could not fix themselves.⁵ Unfortunately, U.S. patients and families face the highest health insurance administrative barriers, such as claim denials, at the very time that they are sick or injured, and thus least able to understand their options and complete an extensive and time consuming appeals process.

¹ Kaiser Family Foundation. (2014, November). *Assessing Americans' Familiarity with Health Insurance Terms and Concepts*. <https://www.kff.org/health-reform/poll-finding/assessing-americans-familiarity-with-health-insurance-terms-and-concepts/>

² Kaiser Family Foundation. (2021, January). *Claims Denials and Appeals in ACA Marketplace Plans*. <https://www.kff.org/private-insurance/issue-brief/claims-denials-and-appeals-in-aca-marketplace-plans/>

³ Cohen, Joshua. Forbes. (2019, December). *Healthcare Consumers Lack Knowledge of Basic Health Insurance Terms*. <https://www.forbes.com/sites/joshuacohen/2019/12/03/healthcare-consumers-lack-knowledge-of-basic-health-insurance-terms/?sh=34210d9fe225>

⁴ National Association of Insurance Commissioners. (2020, October). *Nearly Half of Consumers Don't Understand How Their Health Insurance Would Pay for Coronavirus Testing and Treatment*. https://content.naic.org/article/news_release_nearly_half_consumers_dont_understand_how_their_health_insurance_would_pay_coronavirus_testing_and.htm

⁵ Kaiser Family Foundation. (2000, May). *National Survey of Consumer Experiences with Health Plans*. <https://www.kff.org/health-costs/report/national-survey-of-consumer-experiences-with-health/>

That is why CAPs helping consumers understand and utilize their healthcare coverage are an essential component of ensuring that individuals and families receive the care they need in a timely fashion. This will allow them to focus on their health – not the complexity of our insurance and medical billing system.

CAPs Provide Needed Services to Consumers

CAPs play a vital role for individuals and families who need assistance navigating our system of care as well as work as an individual ombudsman on their behalf. CAPs assist consumers in appealing, resolving, and tracking insurance disputes including surprise medical bills and claims denials. In addition, they also help patients and consumers understand and navigate narrow networks, identify sources of charity care, and resolve issues related to advance premium tax credits. All CAPs help state residents who have private health insurance, including employer-based coverage, union-sponsored plans, and Marketplace plans, and some CAPs can also help state residents enrolled in public coverage.

CAPs provide important resources for educating the public about their health insurance options and assist people navigating transitions in health insurance coverage due to changes in employment status, evolving family configurations, age, and other factors.⁶ In addition, CAPs are key to ensuring that the insurance system works for consumers, employers, providers, and payers. They are required to monitor and understand insurance trends and consumer experiences, and periodically report to state and federal regulators. This feedback loop function of CAPs is needed now more than ever. As the No Surprises Act is implemented, CAPs can play an important role in assuring that consumers understand their rights and receive protections against surprise medical bills that Congress intended.

CAPs Offer Strong Return on Investment

CAPs also offer a strong return on investment. For example, in 2019 alone, a CAP operating in the state of Connecticut supported more than 2,300 consumers and generated more than \$6.7 million in savings for consumers facing claim denials.⁷ Since 2010, the CAP in New York served 400,000 consumers, saving them over \$100 million. In 2021 alone, the New York CAP had a ROI of over 830%.⁸ A report from the U.S. Department of Health and Human Services found that in 2011, CAP programs helped consumers recoup more than \$13.2 million in savings and helped favorably resolve more than 73% of casework requests.⁹

Our organizations understand the difficulty patients and consumers have navigating our system of care. As a result, it is critical that Congress restore robust funding to CAPs for FY23. Furthermore, it will also be important for Congress to consider solutions to create a consistent source of support for these essential programs into the future. If you have any questions regarding CAPs or funding for these crucial

⁶ CAPs are distinct from ACA Navigator programs which provide enrollment assistance for consumers applying through the ACA Marketplace. In addition to the services discussed above, CAPs can also help with enrollment in other types of coverage including job-based plans and COBRA.

⁷ National Conference of State Legislators. (2011, January). *Consumer Assistance Programs: Federal and State*. NCSL. <https://www.ncsl.org/documents/health/HRConsumer.pdf>

⁸ Community Health Advocates website: <https://communityhealthadvocates.org/who-we-are/our-impact/>

⁹ Center for Consumer Information and Insurance Oversight. (2012). *Summary of Consumer Assistance Program Grant Data from OCTOBER 15, 2010 through OCTOBER 14, 2011*. CMS. <https://www.cms.gov/CCIIO/Resources/Files/Downloads/csg-cap-summary-white-paper.pdf>

programs, please contact Matt Marks, Senior Manager of Federal Government Affairs at matthew.marks@lls.org or at 202-630-9198. Thank you for your consideration.

Sincerely,

National Organizations

ACA Consumer Advocacy
Academy of Oncology Nurse & Patient Navigators
ALS Association
American Academy of Social Work and Social Welfare
American Association on Health and Disability
American Cancer Society Cancer Action Network
American College of Obstetricians and Gynecologists
American Heart Association
American Kidney Fund
American Liver Foundation
American Lung Association
American Society of Pediatric Hematology/Oncology
Arthritis Foundation
Association of Oncology Social Work
Association of Pediatric Hematology/Oncology Nurses
Asthma and Allergy Foundation of America
Cancer Support Community
CancerCare
Children's Cancer Cause
Community Catalyst
Epilepsy Foundation
Families USA
Health Care Voices
Hemophilia Federation of America
Immune Deficiency Foundation
Intercultural Cancer Council
International Myeloma Foundation
JDRF
Lakeshore Foundation
LUNgevity Foundation
Lymphoma Research Foundation

Mattie Miracle Cancer Foundation
Medicare Rights Center
Men's Health Network
Mesothelioma Applied Research Foundation
Muscular Dystrophy Association
National Alliance on Mental Illness
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Eczema Association
National Hemophilia Foundation
National Immigration Law Center
National Kidney Foundation
National Multiple Sclerosis Society
National Organization for Rare Disorders
National Pancreas Foundation
National Partnership for Women & Families
National Patient Advocate Foundation
Out2Enroll
Ovarian Cancer Research Alliance
Patient Access Network (PAN) Foundation
Prevent Cancer Foundation
Prostate Cancer Foundation
Solve M.E.
Susan G. Komen
The AIDS Institute
The Andrew McDonough B+ Foundation
The Leukemia & Lymphoma Society
Triage Cancer
TSC Alliance
U.S. PIRG (Public Interest Research Group)
VHL Alliance
WomenHeart: The National Coalition for Women with Heart Disease

State Organizations

Association for Behavioral Healthcare
Cancer Council of the Pacific Islands

Colorado Consumer Health Initiative
Community Service Society of New York
Consumers for Affordable Health Care
Georgians for a Healthy Future
Health Care For All – Massachusetts
Health Law Advocates
Hope for Stomach Cancer
Maine Medical Association
Mass General Brigham
Massachusetts Association for
Occupational Therapy Inc.
Neurofibromatosis Midwest
Northwest Health Law Advocates
Office of the Healthcare Advocate –
Connecticut
Pennsylvania Health Access Network
Rhode Island Parent Information
Network (RIPIN)
Shriver Center on Poverty Law
SPAN Parent Advocacy Network
Tennessee Health Care Campaign
Tennessee Justice Center
Universal Health Care Foundation of
Connecticut
West Virginians for Affordable Health Care

Local Organizations

Charlotte Center for Legal Advocacy
United Jewish Organizations of
Williamsburg and North Brooklyn