

August 25, 2014

Commissioner Kevin McCarty
Florida Office of Insurance Regulation
200 E. Gaines Street, Room 101A
Tallahassee, Florida 32399-0305

RE: Request to Convene a Workgroup to Review Florida's Essential Health Benefits Package

Dear Commissioner McCarty:

On behalf of the millions of Florida health care consumers and providers we collectively represent, our organizations are writing today to request that you use your authority as Insurance Commissioner to **convene and facilitate a workgroup or other appropriate body to review Florida's Essential Health Benefits (EHB) package and generate related findings and recommendations.** In particular, we ask that the primary aim of the workgroup be to suggest recommended modifications to or further specifications of the EHB package that can be implemented in time for use in any process used by federal HHS to adjust state EHB packages for 2016 and beyond.

As you know, Florida did not participate in the process set up by HHS in for selection of an initial EHB package in 2013, and instead defaulted to the benefit package produced by the generic process established by HHS. We believe that active participation in the next opportunity to craft and implement Florida-specific recommendations regarding the EHB package would both benefit Florida consumers and strengthen Florida's health insurance markets. **The types and levels of benefits available to Florida consumers going forward will be determined in large part by how Florida's EHB package is defined. In short, decisions about Florida's EHB package are too critical to (too) many to justify Florida remaining a bystander state.**

All ten of the benefit categories that comprise the EHB package are important and warrant discussion. However, we believe that particular concern should be paid to the still relatively unfamiliar but nonetheless critical issue of habilitative services. Millions of Floridians, particularly children, would benefit from a targeted discussion of how to define habilitative services for purposes of the EHB, as well as of how to balance the availability of habilitative and rehabilitative services so that the populations most likely to need them have sufficient access.

Although we understand that no adjustments to the EHB package will be made prior to plan year 2016, we believe that the review process should nevertheless commence as soon as possible in order to ensure that the recommendations produced are timely and relevant. In particular, to the extent that changes to Florida Statutes may be necessary to implement any changes, they would need to be made during the 2015 legislative session. In short, time is therefore of the essence.

With respect to the workgroup itself, we request that you:

- Appoint a roster of members that at a minimum includes representation from consumers and their advocates, health care providers, and insurance industry representatives.
- Include, both in terms of appointments to the workgroup as well as the content of its deliberations, consideration of the diverse demographics and health care needs of Floridians who rely on coverage provided by plans subject to the EHB requirements.
- Dedicate (or work with stakeholders to assemble) the resources necessary to adequately staff the workgroup, in particular providing some analysis of the variation in the benefit packages of specific plans among and within the ten categories of EHBs as a starting point for deliberations.
- Schedule at least one public hearing in conjunction with a meeting of the workgroup and open a public comment period for purposes of receiving public testimony regarding Florida's EHB package.

Thank you in advance for your consideration of this critical issue and of the role of the Office of Insurance Regulation in determining appropriate next steps. We look forward to hearing from you.

Sincerely,

Florida Physical Therapy Association
Progress Florida Education Institute
Dr. Lawrence P. Floriani
Budd Bell Clearinghouse on Human Services
Helping Abused Neglected Disadvantaged Youth
Federation of Physicians and Dentists
MomsRising
National MS Society
Florida Chapter of the American Academy of
Pediatrics
Easter Seals Volusia and Flagler
Florida Developmental Disabilities Council
Florida Center for Fiscal and Economic Policy
Florida Legal Services, Inc
Family Cafe
disAbility Solutions for Independent Living, Inc
The AIDS Institute
AIDS Alliance for Women, Infants, Children,
Youth & Families

South Florida Voices for Working Families
Faith in Florida
Healthy Kids of St Lucie County
DFA- FL Chapter
Florida Alliance of Planned Parenthood Affiliates
SEIU Florida
Hispanic Health Initiatives
The Children's Movement
Florida Nurses Association