

U.S. Sen. Tammy Baldwin: Urges Trump administration to protect health coverage for people with pre-existing conditions

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WASHINGTON, D.C. – Today, U.S. Senator Tammy Baldwin and 39 Senate Democrats, led by Senator Mark Warner (D-VA), are urging the Trump administration to protect individuals with pre-existing conditions by limiting the proliferation of “junk plans” – short-term insurance plans that can exclude coverage for essential benefits and provide no protections for Americans with pre-existing conditions.

In their letter to the U.S. Department of Health and Human Services (HHS) and the Centers for Medicare & Medicaid Services (CMS), the Senators write, *“We have heard from patients, physicians, independent experts, and other health care stakeholders that individuals with preexisting conditions are being negatively impacted by your Administration’s actions. More recently, we have seen the real world negative impact on individuals who have unknowingly enrolled in these deceptively marketed junk plans.*

They continue, *“Just this month, Bloomberg reported Arizona resident David Diaz unknowingly purchased a short-term health plan that did not cover preexisting conditions and placed ambiguous limits on emergency room care and other essential health care services. His family has been left with hundreds of thousands*

of dollars in medical debt. The Washington Post similarly reported on Jesse Lynn, who purchased a short-term health plan not realizing his back problem would be considered a preexisting condition. Jesse's insurance company refused to cover his care - forcing his family into bankruptcy.

The Senators conclude, *"The Administration's rule on state waivers allows taxpayer dollars to go to these junk plans, accelerating the problems we are already seeing with junk plans and leaving fewer resources for people who purchase high quality insurance. Additionally, the Administration's new rule weakens coverage by allowing waivers that increase premiums and out-of-pocket costs for those who need health care most. We have worked tirelessly to protect individuals with preexisting conditions from barriers to coverage. We urge you to do the same, including by limiting the proliferation of short-term junk plans and ensuring that consumers in every state are protected by federal consumer protections for people with preexisting conditions."*

The Trump administration recently issued a rule that could allow states to ignore federal consumer protections and use taxpayer dollars to subsidize junk insurance plans that cover less and cost more. These junk plans can exclude coverage of essential benefits like prescription drugs, emergency room visits, maternity care, or mental health care. Additionally, under this rule, states can submit waivers to CMS that give insurance companies the green light to discriminate against Americans with pre-existing conditions by increasing costs, limiting coverage, or denying coverage altogether.

In their letter, the Senators urged HHS Secretary Alex Azar and CMS Administrator Seema Verma to limit the spread of short-term junk plans and safeguard Affordable Care Act (ACA) protections that increase access to affordable and comprehensive health insurance, and forbid insurance companies from discriminating against individuals with pre-existing conditions.

Joining Senators Baldwin and Warner on the letter are Senators Cory Booker (D-NJ), Sherrod Brown (D-OH), Maria Cantwell (D-WA), Ben Cardin (D-MD), Tom Carper (D-DE), Bob Casey (D-PA), Chris Coons (D-DE), Tammy Duckworth (D-IL), Dick Durbin (D-IL), Dianne Feinstein (D-CA), Kirsten Gillibrand (D-NY), Kamala D. Harris (D-CA), Maggie Hassan (D-NH), Martin Heinrich (D-NM), Mazie Hirono (D-HI), Doug Jones (D-AL), Tim Kaine (D-VA), Amy Klobuchar (D-MN), Patrick J. Leahy (D-VT), Joe Manchin (D-WV), Ed Markey (D-MA), Robert Menendez (D-NJ), Jeff Merkley (D-OR), Christopher Murphy (D-CT), Patty Murray (D-WA), Gary C. Peters (D-MI), Jack Reed (D-RI), Jacky Rosen (D-NV), Brian Schatz (D-HI), Charles E. Schumer (D-NY), Jeanne Shaheen (D-NH), Tina Smith (D-MN), Debbie Stabenow (D-MI), Tom Udall (D-NM), Chris Van Hollen (D-MD), Elizabeth Warren (D-MA), Sheldon Whitehouse (D-RI), and Ron Wyden (D-OR).

The full letter is available [here](#). An online version of this release is available [here](#).

Dear Secretary Azar and Administrator Verma:

We write to express our concern with the Administration's repeated efforts to weaken protections for Americans with preexisting conditions and increase costs for millions, including through a new rule which allows for harmful waivers that weaken protections for vulnerable populations and exacerbate the damage already being caused by the expansion of short-term, limited-duration insurance, or "junk" plans. We have heard from patients, physicians, independent experts, and other health care stakeholders that individuals with preexisting conditions are being negatively impacted by your Administration's actions. More recently, we have seen the real world negative impact on individuals who have unknowingly enrolled in these deceptively marketed junk plans.

We have heard directly from individuals with preexisting conditions and other Americans who are being negatively impacted by junk plans. Just this month,

Bloomberg reported Arizona resident David Diaz unknowingly purchased a short-term health plan that did not cover preexisting conditions and placed ambiguous limits on emergency room care and other essential health care services. His family has been left with hundreds of thousands of dollars in medical debt. The Washington Post similarly reported on Jesse Lynn, who purchased a short-term health plan not realizing his back problem would be considered a preexisting condition. Jesse's insurance company refused to cover his care - forcing his family into bankruptcy. No family should be forced into bankruptcy because of a preexisting medical condition or obscure coverage limits on care.

The Patient Protection and Affordable Care Act (ACA) established clear protections to prohibit insurance companies from discriminating against individuals with preexisting conditions, and ensure that more Americans have access to affordable and comprehensive health insurance. The junk plans your Administration has sought to expand and promote provide none of these protections and can legally increase premiums, exclude benefits, and deny coverage altogether to individuals with preexisting conditions. These plans place arbitrary coverage limits and many don't cover essential health benefits, such as mental health care and maternity care.

The Administration's rule on state waivers allows taxpayer dollars to go to these junk plans, accelerating the problems we are already seeing with junk plans and leaving fewer resources for people who purchase high quality insurance.

Additionally, the Administration's new rule weakens coverage by allowing waivers that increase premiums and out-of-pocket costs for those who need health care most.

We have worked tirelessly to protect individuals with preexisting conditions from barriers to coverage. We urge you to do the same, including by limiting the proliferation of short-term junk plans and ensuring that consumers in every state

are protected by federal consumer protections for people with preexisting conditions. Thank you and we look forward to your response.