

# U.S. Sens. Baldwin, Murphy: Lead call urging Trump administration to cover COVID-19 related medical expenses for those enrolled in junk plans

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WASHINGTON, D.C. – U.S. Senators Tammy Baldwin (D-WI) and Chris Murphy (D-CT), both members of the Senate Health, Education, Labor and Pensions (HELP) Committee, on Friday led eight Senate Democrats in urging the Trump administration to cover the COVID-19 treatment expenses for those enrolled in short term, limited duration insurance (STLDI) plans. These so-called junk plans, which are heavily promoted by the administration, often do not cover essential medical services and are leaving consumers recovering from coronavirus with high out-of-pocket expenses. The administration has said it will exclude those enrolled in junk plans from the CARES Act uninsured relief fund even though it has the authority to cover these unanticipated, non-reimbursable expenses and it would be the right thing to do. Joining Baldwin and Murphy in sending this letter are Senators Mazie Hirono (D-HI), Tina Smith (D-MN), Elizabeth Warren (D-MA), Chris Van Hollen (D-MD), Tom Carper (D-DE), Sherrod Brown (D-OH), Jeff Merkley (D-OR), and Richard Blumenthal (D-CT).

*“By excluding health care providers and facilities serving individuals enrolled in STLDI plans from COVID-19 claims reimbursement, you are adding to the financial liabilities of the underinsured. This decision, coupled with your decision to reject opening a special enrollment period, puts thousands of Americans at risk during a*

*pandemic,”* **the senators wrote.**

**The senators continued:** *“In the midst of a national health crisis, Americans need assurance that they will have comprehensive health insurance. STLDI plans do not provide this protection. This substandard health coverage promoted by the administration does not meet Federal consumer protection standards, including protections for pre-existing conditions, lifetime and annual dollar limits, and Essential Health Benefits (EHBs) like laboratory testing, emergency care, and hospitalization. This means these junk plans are allowed to discriminate against people with pre-existing conditions, women, and seniors, and often they do not cover benefits like mental health and addiction care or prescription drugs.”*

*“The FFCRA defines uninsured as an individual who is not enrolled in Medicare, Medicaid, CHIP, TRICARE, VA health care, fully insured and self-insured individual and group health plans, and the Federal Employees Health Benefits Program. The definition in the statute excludes STLDI, treating them as uninsured for the purposes of COVID-19 testing coverage. This language makes clear that it is the intent of Congress to ensure that those enrolled in a STLDI plan are accounted for, and treated as uninsured to guarantee that they may access services critical for both individual patient care and the health of the public,”* **the senators added.**

*“Given the financial burden this decision will add to those enrolled in STLDI plans, we urge you to reconsider the decision not to cover their claims for COVID-19 testing and treatment. It is the least you should be doing to protect those individuals from unanticipated health care costs,”* **the members concluded.**

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

The Honorable Alex Azar

Secretary

U.S. Department of Health and Human Services

200 Independence Avenue SW

Washington, DC 20201

Dear Secretary Azar,

We write with grave concerns about your reported decision to deny those enrolled in short term, limited duration insurance (STLDI) plans, or junk plans, the federal resources appropriated for COVID-19 testing and treatment coverage. By excluding health care providers and facilities serving individuals enrolled in STLDI plans from COVID-19 claims reimbursement, you are adding to the financial liabilities of the underinsured. This decision, coupled with your decision to reject opening a special enrollment period, puts thousands of Americans at risk during a pandemic. We already have seen examples of how these plans, touted by your administration, have left patients with potential and confirmed COVID-19 cases saddled by high medical bills, at a time when the economy and many livelihoods are in jeopardy. We urge you to reconsider and expand coverage and protections to those enrolled in STLDI plans by including them for coverage as uninsured.

In the midst of a national health crisis, Americans need assurance that they will have comprehensive health insurance. STLDI plans do not provide this protection. This substandard health coverage promoted by the administration does not meet Federal consumer protection standards, including protections for pre-existing conditions, lifetime and annual dollar limits, and Essential Health Benefits (EHBs) like laboratory testing, emergency care, and hospitalization. This means these junk plans are allowed to discriminate against people with pre-existing conditions, women, and seniors, and often they do not cover benefits like mental health and addiction care or prescription drugs.

The administration is managing the Families First Coronavirus Relief Act (FFCRA) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act through a shared program covering testing and care for uninsured COVID-19 patients. The FFCRA defines uninsured as an individual who is not enrolled in Medicare, Medicaid, CHIP, TRICARE, VA health care, fully insured and self-insured individual and group health plans, and the Federal Employees Health Benefits Program. The definition in the statute excludes STLDI, treating them as uninsured for the purposes of COVID-19 testing coverage. This language makes clear that it is the intent of Congress to ensure that those enrolled in a STLDI plan are accounted for, and treated as uninsured to guarantee that they may access services critical for both individual patient care and the health of the public.

In response to a question about why the administration was not extending claims reimbursement for those enrolled in STLDI, an official from the Department of Health and Human Services (HHS) noted that many insurance companies have agreed to provide coverage for COVID-19 treatment at no cost-sharing. It is accurate that many insurance companies have extended coverage for their ACA-compliant plans, however, many companies have failed to provide the same extension for STLDI plans that they operate. Thus, these assurances from HHS of no cost-sharing do not apply to those enrolled in those plans. Individuals enrolled in these plans and at risk of COVID-19 are hit twice – first by their inadequate plan, which is not required to provide coverage for the type of COVID-19 testing and treatment they may need, and second, by this administration's failure to provide a backstop for testing and treatment costs.

Given the financial burden this decision will add to those enrolled in STLDI plans, we urge you to reconsider the decision not to cover their claims for COVID-19 testing and treatment. It is the least you should be doing to protect those individuals from unanticipated health care costs.

Sincerely,

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