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August 29, 2013

The Honorable Kathleen Sebelius  
Secretary  
U.S. Department of Health and Human Services  
Hubert H. Humphrey Building  
200 Independence Ave., S.W.  
Washington, D.C. 20101

Dear Secretary Sebelius:

On August 27, 2013 the U.S. Department of Health and Human Services notified insurance companies that it would postpone signing final agreements with the companies that will be offering plans to be sold in the Federally-facilitated Marketplaces. Open enrollment in the Federal and State health exchanges begins October 1, 2013. As of today, 16 states have elected to operate a State-based exchange while the 34 remaining states have defaulted to a Federal or partnership exchange. With the majority of states relying on the Federal government to operate their state exchange it is concerning that the federal government has provided limited information on the operation of the Exchange and continues to delay essential requirements that facilitate its functionality.

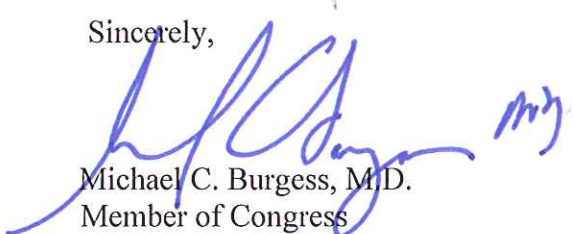
Representatives from the Department of Health and Human Services, the Treasury and the White House have repeatedly stated that the federal health insurance exchanges will be ready on October 1, 2013. On April 18, 2013 you appeared before the Committee on Energy and Commerce and when I questioned you about the federal exchanges you stated, "We have the federal hub on track and on time...we intend to be open for open enrollment around the country October 1st."

As a representative of the state of Texas, which will be relying on the Federally-facilitated Marketplace, I and my constituents deserve answers on the operation of the Marketplace, including the plans that will be available, the rates, and the process by which individuals will enroll. Since first submitting their Exchange Blueprints in December 2012, the 16 states operating their own Insurance Exchanges have built IT systems to facilitate enrollment and determine eligibility, reviewed insurance plans to be offered on their Exchange, and several states have already released the rates and plans that will be offered on the Exchange. The Administration has had an equal amount of time to establish the Federal Marketplace, yet full implementation is now approximately one month away, and the public still lacks any information about the Federal hub, plans to be offered, and the rates for plans on the Marketplace.

The administration's decision to delay additional aspects of the law further adds to the already significant concerns about the full implementation of the law, what components may be delayed next, which parties are being consulted as part of the implementation process, and what the decision-making process is for these major changes to the legislation. I am eager to understand the status of PPACA implementation, and how the Federally-facilitated Marketplaces will be operational by October 1, 2013.

Thank you for your prompt attention to this matter. I would appreciate your response to my questions and would be readily available to set up a meeting with you to discuss these issues. To schedule a meeting and provide answers to my concerns please contact me or Sarah Johnson with my staff in my Washington, D.C. office at (202)-225-7772.

Sincerely,



Michael C. Burgess, M.D.  
Member of Congress