

Congress of the United States
Washington, DC 20515

March 13, 2020

Alex Azar
Secretary
Department of Health and Human Services
200 Independence Ave. SW
Washington, DC 20201

Dear Secretary Azar:

We write to urge you to establish a Special Enrollment Period to be applicable to all Affordable Care Act Marketplace coverage, including those using healthcare.gov as well as state-based marketplaces, during the COVID-19 pandemic. Many among the close to 30 million Americans living without insurance¹ and estimated 44 million who are underinsured² would benefit from such a declaration. As outbreaks emerge and community spread continues in the United States, our most vulnerable neighbors are those who lack comprehensive health coverage. Without that coverage, they are unlikely to seek treatment for COVID-19, leaving all in our community at risk.

You declared COVID-19 a public health emergency on January 31st. Responding to that emergency must include ensuring access to insurance coverage so patients can seek treatment for COVID-19. There is precedent for HHS declaring a Special Enrollment Period during an emergency. In 2017, HHS established a Special Enrollment Period for patients living in areas FEMA deemed eligible for assistance following Hurricanes Irma, Maria, Nate, and Harvey. Similarly, a Special Enrollment Period was established in 2019 for areas affected by Hurricane Dorian.

Providing an opportunity for more Americans to seek health coverage is an important step in assuring public health during this crisis. Without effective action, we are concerned that Americans will not be adequately protected against current and future coronavirus outbreaks. We look forward to your response.

Sincerely,

Lloyd Doggett

Ted W. Lieu

Chris Pappas

¹ <https://www.kff.org/uninsured/issue-brief/key-facts-about-the-uninsured-population/>

² <https://www.advisory.com/daily-briefing/2019/02/08/underinsured>

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