Ms. Matthews:

On behalf of the Alzheimer's Foundation of America (AFA), a national nonprofit representing those living with dementia and their family caregivers, I am writing to request that NAIC reconsider sections of it’s individual market and small market model legislation that could limit coverage for beneficiaries going out of network in the new exchange plans, and erode the annual limit on out-of-pocket spending that was included as a important consumer protection under the Affordable Care Act (ACA).

Section 14(B) of NAIC's individual market model and section 15(B) of NAIC's small group model both would permit health insurers to exclude from the annual limit “benefits provided out-of-network.” This is inconsistent with ACA statutory language (see ACA section 1302(c)), and may compromise this important out-of-pocket consumer protection. Moreover, the NAIC’s language is broad enough that it could be interpreted by plans to excluded benefits covered through an appeal or exception process.

AFA urges NAIC to revisit these provisions in their model legislation. If left unchanged, AFA is concerned that these provisions would undue important beneficiaries protections that are vital to our membership.

Thank you for your consideration on this important issue.

Regards,

Eric Sokol
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