Dear Ms. Matthews,

The Florida Society of Rheumatology wishes to express concerns raised by two model insurance regulations put out for public comment 9/30/14. These regulations apply to individual market and small group health coverage. The particular sections of concern are 14(B) of the individual market model and section 15(B) of the small group model. Both sections would permit health insurers to exclude from the annual limit “benefits provided out-of-network.” This language is inconsistent with statutory language in ACA section 1302(c), and threatens to make out-of-network coverage and illusion in light of well publicized public concerns regarding narrow networks. The NAIC language is broad enough to in theory be interpreted by plans as allowing them to exclude benefits covered through appeal or exception process. Such an outcome would be sure to cause patient harm by compromising care available.

Patients with autoimmune and rare diseases are particularly at risk with the above proposed policies, since appropriate providers may be out-of-network. We are very concerned that the ACA out-of-pocket annual spending limit protection will be negated by such policy interpretation.

We request you allow current draft policies to remain open to discussion based on our deep concerns about erosion of the out-of-pocket protections as voiced above. Draft language could negate patient financial benefit of successfully negotiating the exhausting exception/appeal process, a tragic reversal from current practice.

Sincerely,

Pamela Freeman, MD
President Florida Society of Rheumatology
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