

Duckworth & Durbin Join Baldwin And Senate Colleagues In Letter Urging Biden Administration To Limit Junk Health Plans That Undermine Standards Of Aff

February 15 2022 3:17 PM



WASHINGTON, D.C. – U.S. Senators Tammy Duckworth (D-IL) and Dick Durbin (D-IL) today joined U.S. Senator Tammy Baldwin (D-WI) and 37 of their U.S. Senate colleagues in sending a letter to the U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra urging the Biden administration to limit the sale and availability of short-term, limited-duration insurance (STLDI) plans, also known as “junk plans,” because of their failure to provide adequate, comprehensive health insurance coverage.

“It is our responsibility to ensure that all Americans have access to affordable and comprehensive health care coverage,” said the Senators. “In order to strengthen that commitment, HHS must act quickly to limit the proliferation and promotion of STLDI plans, and undue the sabotage caused by the previous administration.”

In 2018, in an effort to sabotage the Affordable Care Act (ACA), the Trump administration made junk plans more widely available to consumers. Since then, the plans have continued to proliferate, however, they are not required to adhere to important standards, including prohibitions on discrimination against people with pre-existing conditions, coverage for the 10 essential health benefit (EHB) categories and annual out-of-pocket maximums.

Duckworth, Durbin and Baldwin were joined by U.S. Senators Michael Bennet (D-CO), Richard Blumenthal (D-CT), Cory Booker (D-NJ), Sherrod Brown (D-OH), Ben Cardin (D-MD), Tom Carper (D-DE), Bob Casey (D-PA), Chris Coons (D-DE), Catherine Cortez Masto (D-NV), Dianne Feinstein (D-CA), Maggie Hassan (D-NH), John Hickenlooper (D-CO), Mazie Hirono (D-HI), Tim Kaine (D-VA), Angus King (I-ME), Patrick Leahy (D-VT), Ben Ray Lujan (D-NM), Ed Markey (D-MA), Bob Menendez (D-NJ), Jeff Merkley (D-OR), Chris Murphy (D-CT), Jon Ossoff (D-GA), Alex Padilla (D-CA), Gary Peters (D-MI), Jack Reed (D-RI), Jacky Rosen (D-NV), Bernie Sanders (I-VT), Charles Schumer (D-NY), Jeanne Shaheen (D-NH), Tina Smith (D-MN), Debbie Stabenow (D-MI), Jon Tester (D-MT), Chris Van Hollen (D-MD), Mark Warner (D-VA), Raphael Warnock (D-GA), Elizabeth Warren (D-MA) and Sheldon Whitehouse (D-RI).

The full text of the letter is available [here](#) and below:

Dear Secretary Becerra:

This year, 14.5 million Americans signed up for comprehensive health insurance coverage during Open Enrollment, a new record. Thanks to the American Rescue Plan, four out of five consumers who receive health insurance from the marketplace are

finding quality coverage for less than \$10 per month, and a majority of those enrollees are also receiving subsidies to decrease their co-pays, deductibles, and other out-of-pocket spending. We write to congratulate you and your entire department for this significant achievement and encourage you to take additional steps to ensure that even more Americans are protected from substandard plans that do not provide coverage for pre-existing conditions. Now is the time to issue new regulations limiting the sale and availability of short-term, limited-duration insurance (STLDI) plans, also known as “junk plans” because of their failure to provide adequate coverage.

Despite the important gains that we have made in providing comprehensive and affordable coverage for more Americans, STLDI plans continue to sow confusion and cause harm to patients. These plans, which are not required to adhere to important standards, including prohibitions on discrimination against people with pre-existing conditions, coverage for the 10 essential health benefit (EHB) categories, and annual out-of-pocket maximums, have continued to proliferate. In 2018, the Trump administration issued a rule to sabotage the Affordable Care Act (ACA) by promoting STLDI plans and that same year all Senate Democrats and one Republican Senator voted to block the rule. Unfortunately, this effort to undermine critical patient and consumer protections has yet to be undone.

We were pleased to see the Biden administration include amending regulations concerning STLDI plans in the Fall 2021 Unified Agenda and Regulatory Plan, and are proud of the historic coverage gains that we have seen as a result of President Biden’s and your leadership. However, it is past time for us to take action. STLDI plans undermine the integrity of the ACA and put those with pre-existing conditions at risk. The Department of Health and Human Services (HHS) should immediately restore the three-month duration limit for plans, limit plan renewability, and reduce the ability to purchase back-to-back STLDI plans. We also urge you to consider additional efforts to protect patients and consumers such as banning sales during Marketplace Open Enrollment, limiting internet and phone sales, establishing a prohibition on retroactive coverage rescissions, and requiring additional consumer disclosures about plan coverage.

It is our responsibility to ensure that all Americans have access to affordable and comprehensive health care coverage. In order to strengthen that commitment, HHS must act quickly to limit the proliferation and promotion of STLDI plans, and undue the sabotage caused by the previous administration.