April 03, 2020

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Seema Verma
Administrator
Centers for Medicare and Medicaid Services
7500 Security Blvd.
Baltimore, MD 21244

Dear Secretary Azar and Administrator Verma:

We write to you today with grave concerns regarding your administration’s recent decision not to reopen the state-level health insurance exchanges run by the federal government. Yesterday, the Labor Department reported that unemployment claims soared to a record 6.6 million due to the COVID-19 public health crisis and ensuing economic fallout. With growing fears that people will be uninsured during the coronavirus outbreak, we urge you to allow individuals who are at-risk for COVID-19 to access affordable health care options through the health insurance marketplaces with a special enrollment period.

According to the U.S. Census Bureau, in 2017 the number of people without health insurance increased to 28.0 million, up from 27.3 million the year before. Of that number, about 1 in 3 uninsured workers were in service occupations. Despite individuals qualifying for a special enrollment period for losing job-based coverage, 1 in 3 Americans will remain uninsured.1 Given the crisis at hand, CMS should authorize an emergency special enrollment period to ensure that all Americans have access to affordable health insurance that will cover needed health care services for testing and treatment, especially now.

The federal government has opened special enrollment periods in the past during previous declared major disasters or emergencies, claiming exceptional circumstances.2 On January 31, 2020, Secretary Azar declared a nationwide public health emergency under Section 319 of the Public Health Service Act. As of Friday afternoon, more than 258,000 people in the United

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States have been infected, and at least 6,593 have died—the COVID-19 pandemic should be considered an exceptional circumstance.\(^3\)

Medical costs are already a common concern in the U.S., particularly for people without insurance. The Kaiser foundation projects that the cost of inpatient admissions for COVID-19 treatment could top $20,000\(^4\). This is an unprecedent financial constraint that could prevent millions of people from seeing doctors to get tested or treated. We urge HHS and CMS to establish a special enrollment period for the coronavirus and rightfully extend the opportunity for millions of uninsured Americans to newly seek out coverage.

Thank you for your attention to this critical issue and we look forward to your response.

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/s/ Jerrold Nadler  
Member of Congress

/s/ Chris Pappas  
Member of Congress

/s/ Eddie Bernice Johnson  
Member of Congress

/s/ Donna E. Shalala  
Member of Congress

/s/ Sheila Jackson Lee  
Member of Congress

/s/ Debbie Wasserman Schultz  
Member of Congress

/s/ Jim Himes  
Member of Congress

/s/ Jared Huffman  
Member of Congress

/s/ Cheri Bustos  
Member of Congress

/s/ Frederica S. Wilson  
Member of Congress

/s/ David Trone  
Member of Congress

/s/ Suzanne Bonamici  
Member of Congress

/s/ Harley Rouda  
Member of Congress

/s/ Grace Meng  
Member of Congress

/s/ Grace F. Napolitano  
Member of Congress

/s/ Dina Titus  
Member of Congress

/s/ Brenda L. Lawrence  
Member of Congress

/s/ Marcia L. Fudge  
Member of Congress

/s/ Joyce Beatty  
Member of Congress

/s/ Bradley S. Schneider  
Member of Congress

/s/ David N. Cicilline  
Member of Congress

/s/ Judy Chu  
Member of Congress

/s/ Jahana Hayes  
Member of Congress

/s/ Linda T. Sánchez  
Member of Congress

/s/ Darren Soto  
Member of Congress

/s/ Abigail D. Spanberger  
Member of Congress

/s/ Bennie G. Thompson  
Member of Congress

/s/ Adam B. Schiff  
Member of Congress

/s/ Daniel T. Kildee  
Member of Congress

/s/ Alan Lowenthal  
Member of Congress
/s/ Albio Sires  
Member of Congress

/s/ James P. McGovern  
Member of Congress

/s/ Chellie Pingree  
Member of Congress

/s/ Donald M. Payne, Jr.  
Member of Congress

/s/ Tony Cárdenas  
Member of Congress

/s/ Ann Kirkpatrick  
Member of Congress

/s/ Marcy Kaptur  
Member of Congress

/s/ Jesús G. “Chuy” García  
Member of Congress

/s/ José E. Serrano  
Member of Congress

/s/ Joseph D. Morelle  
Member of Congress

/s/ Mary Gay Scanlon  
Member of Congress

/s/ Xochitl Torres Small  
Member of Congress

/s/ John Yarmuth  
Member of Congress

/s/ Dwight Evans  
Member of Congress

/s/ David Scott  
Member of Congress

/s/ Stephen F. Lynch  
Member of Congress

/s/ Mark Pocan  
Member of Congress

/s/ Carolyn B. Maloney  
Member of Congress

/s/ Ted Deutch  
Member of Congress