



April 26, 2021

The Honorable Rosa DeLauro  
Chair, Subcommittee on Labor,  
Health and Human Services, Education,  
and Related Agencies on Appropriations

The Honorable Tom Cole  
Ranking Member, Subcommittee on Labor  
Health and Human Services, Education,  
and Related Agencies on Appropriations

The Honorable Patty Murray  
Chair, Subcommittee on Labor,  
Health and Human Services, Education,  
and Related Agencies on Appropriations

The Honorable Roy Blunt  
Ranking Member, Subcommittee on Labor  
Health and Human Services, Education,  
and Related Agencies on Appropriations

**Re: Consumer Assistance Program Funding – FY22 Appropriation**

Dear Chairwoman DeLauro, Ranking Member Cole, Chairwoman Murray, and Ranking Member Blunt:

Our 113 organizations are dedicated to improving and protecting the public’s health, and collectively represent millions of patients, consumers, health care providers, and healthcare advocates in the United States. We understand that access to, and assistance with, comprehensive and affordable health coverage is necessary for individuals and families to stay healthy, address their physical and mental health needs, and flourish economically. Therefore, we write to you in strong support of funding for a critically important consumer-focused service, Consumer Assistance Programs (CAPs), in the Fiscal Year 2022 Labor, Health and Human Services, Education, and Related Agencies appropriations bill.

Consumers Struggle to Navigate their Coverage

The complexity of our coverage system is underscored by a multitude of studies and reports demonstrate that healthcare coverage can be overwhelming for consumers.<sup>1,2,3,4</sup> For example, a Kaiser Family Foundation survey of privately insured individuals found that nearly half of enrollees had encountered a problem using their coverage, such as denied claims, network challenges, or eligibility issues that they could not fix themselves.<sup>5</sup> Resources that help consumers understand and utilize their healthcare coverage are an essential component of ensuring that individuals and families can receive the care they need in a timely fashion and focus on their health – not the complexity of our insurance and medical billing system. CAPs play a vital role for individuals and families who need assistance navigating our system of care.

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<sup>1</sup> Kaiser Family Foundation. (2014, November). *Assessing Americans’ Familiarity with Health Insurance Terms and Concepts*. <https://www.kff.org/health-reform/poll-finding/assessing-americans-familiarity-with-health-insurance-terms-and-concepts/>

<sup>2</sup> Kaiser Family Foundation. (2021, January). *Claims Denials and Appeals in ACA Marketplace Plans*. <https://www.kff.org/private-insurance/issue-brief/claims-denials-and-appeals-in-aca-marketplace-plans/>

<sup>3</sup> Cohen, Joshua. Forbes. (2019, December). *Healthcare Consumers Lack Knowledge of Basic Health Insurance Terms*. <https://www.forbes.com/sites/joshuacohen/2019/12/03/healthcare-consumers-lack-knowledge-of-basic-health-insurance-terms/?sh=34210d9fe225>

<sup>4</sup> National Association of Insurance Commissioners. (2020, October). *Nearly Half of Consumers Don’t Understand How Their Health Insurance Would Pay for Coronavirus Testing and Treatment*. [https://content.naic.org/article/news\\_release\\_nearly\\_half\\_consumers\\_dont\\_understand\\_how\\_their\\_health\\_insurance\\_would\\_pay\\_coronavirus\\_testing\\_and.htm](https://content.naic.org/article/news_release_nearly_half_consumers_dont_understand_how_their_health_insurance_would_pay_coronavirus_testing_and.htm)

<sup>5</sup> Kaiser Family Foundation. (2000, May). *National Survey of Consumer Experiences with Health Plans*. <https://www.kff.org/health-costs/report/national-survey-of-consumer-experiences-with-health/>

### CAPs Provide Needed Services to Consumers

CAPs assist consumers in appealing, resolving, and tracking insurance disputes including surprise medical bills and claims denials. In addition, they also help patients and consumers understand and navigate narrow networks, identify sources of charity care, and resolve issues related to advance premium tax credits. All CAPs help state residents who have private health insurance, including employer-based coverage, union-sponsored plans, and Marketplace plans, and many CAPs can also help state residents enrolled in public coverage.

CAPs provide important resources for educating the public about their health insurance options and assist people navigating transitions in health insurance coverage due to changes in employment status, evolving family configurations, age, and other factors.<sup>6</sup> In addition, CAPs are key to ensuring that the insurance system works for consumers, employers, providers, and payers. They are required to monitor and understand insurance trends and consumer experiences, and periodically report to state and federal regulators. This feedback loop function of CAPs is needed now more than ever. As the No Surprises Act is implemented next year, CAPs can play an important role in assuring that consumers understand their rights and receive protections against surprise medical bills that Congress intended.

### CAPs Offer Strong Return on Investment

CAPs offer a strong return on investment. For example, in 2019 alone, a CAP operating in the state of Connecticut supported more than 2,300 consumers and saw more than \$6.7 million refunded back to consumers in claims denials and savings.<sup>7</sup> Since 2010, the CAP in New York served 400,000 consumers, saving them over \$100 million.<sup>8</sup> A report from the U.S. Department of Health and Human Services found that in 2011, CAP programs helped consumers recoup more than \$13.2 million in savings and helped favorably resolve more than 73% of casework requests.<sup>9</sup>

### Conclusion

Our organizations understand the difficulty patients and consumers have navigating our system of care. As a result, it is critical that Congress restore robust funding to CAPs for FY22. Furthermore, it will also be important for Congress consider solutions to create a consistent source of support for these essential programs into the future.

If you have any questions regarding CAPs or funding for these crucial programs, please contact Matt Marks, Senior Manager of Federal Government Affairs at [matthew.marks@lls.org](mailto:matthew.marks@lls.org) or at 202-630-9198. Thank you for your consideration.

Sincerely,

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<sup>6</sup> CAPs are distinct from ACA Navigator programs which provide enrollment assistance for consumers applying through the ACA Marketplace. In addition to the services discussed above, CAPs can also help with enrollment in other types of coverage including job-based plans and COBRA.

<sup>7</sup> National Conference of State Legislators. (2011, January). *Consumer Assistance Programs: Federal and State*. NCSL. <https://www.ncsl.org/documents/health/HRConsumer.pdf>

<sup>8</sup> Community Health Advocates website: <https://communityhealthadvocates.org/who-we-are/our-impact/>

<sup>9</sup> Center for Consumer Information and Insurance Oversight. (2012). *Summary of Consumer Assistance Program Grant Data from OCTOBER 15, 2010 through OCTOBER 14, 2011*. CMS. <https://www.cms.gov/CCIIO/Resources/Files/Downloads/csg-cap-summary-white-paper.pdf>

## **National Organizations**

ACA Consumer Advocacy  
ALS Association  
American Association on Health and Disability  
American Cancer Society Cancer Action Network  
American College of Obstetricians and Gynecologists  
American Heart Association  
American Kidney Fund  
American Lung Association  
American Medical Student Association  
American Society of Pediatric Hematology/Oncology (ASPHO)  
Aplastic Anemia & MDS International Foundation  
Arthritis Foundation  
Association of Pediatric Hematology/Oncology Nurses  
Asthma and Allergy Foundation of America  
Cancer Support Community  
CancerCare  
Children's Brain Tumor Foundation  
Children's Cancer Cause  
Chronic Disease Coalition  
Community Catalyst  
Epilepsy Foundation  
Families USA  
GO2 Foundation for Lung Cancer  
Health Care Voices  
Hemophilia Federation of America  
Hydrocephalus Association  
International Myeloma Foundation  
Kidney Cancer Association  
KidneyCAN  
Lakeshore Foundation  
Little Lobbyists  
LUNgevity Foundation  
Lymphoma Research Foundation  
Medicare Rights Center  
Muscular Dystrophy Association  
National Alliance on Mental Illness  
National Association for Rural Mental Health (NARMH)  
National Association of County Behavioral Health & Developmental Disability Directors (NACBHDD)  
National Association of Social Workers  
National Cancer Registrars Association

National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
National Health Law Program  
National Hemophilia Foundation  
National Immigration Law Center  
National Kidney Foundation  
National Multiple Sclerosis Society  
National Organization for Rare Disorders  
National Pancreas Foundation  
National Partnership for Women & Families  
National Patient Advocate Foundation  
National Psoriasis Foundation  
Out2Enroll  
Ovarian Cancer Research Alliance  
Patient Access Network (PAN) Foundation  
Pediatric Brain Tumor Foundation  
Prevent Cancer Foundation  
Prostate Cancer Foundation  
Pulmonary Hypertension Association  
Solve ME/CFS Initiative  
Susan G. Komen  
The AIDS Institute  
The Andrew McDonough B+ Foundation  
The Leukemia & Lymphoma Society  
The Mattie Miracle Cancer Foundation  
The Mesothelioma Applied Research Foundation  
The Michael J. Fox Foundation for Parkinson's Research  
Triage Cancer  
Tuberous Sclerosis Alliance  
U.S. PIRG  
VHL Alliance  
WomenHeart: The National Coalition for Women with Heart Disease

## **State Organizations**

Alliance for Addiction and Mental Health Services, Maine  
Association for Behavioral Healthcare  
Boston Children's Hospital  
Colorado Consumer Health Initiative  
Community Service Society of NY  
Consumers for Affordable Health Care  
Every Texan  
Florida Health Justice Project  
Georgians for a Healthy Future  
Health Care For All, Massachusetts

Health Law Advocates  
Legal Aid Society of the District of Columbia  
Maine Medical Association  
Make the Road New York  
Mass General Brigham  
Massachusetts Association for Mental Health  
Massachusetts Association for Occupational  
Therapy, Inc.  
Massachusetts Law Reform Institute  
Mental Health Legal Advisors Committee  
Michigan Primary Care Association  
Neurofibromatosis Midwest  
Northwest Health Law Advocates  
Parent/Professional Advocacy League  
Pennsylvania Health Access Network  
Protect Our Care Illinois  
Rhode Island Parent Information Network  
Shriver Center on Poverty Law  
South Carolina Appleseed Legal Justice Center  
Southwest Women's Law Center  
TakeAction Minnesota  
Tennessee Health Care Campaign  
Tennessee Justice Center  
Texas Parent to Parent  
The Economic Progress Institute  
Universal Health Care Foundation of  
Connecticut  
West Virginians for Affordable Health Care

**Local Organizations**

ACR Health  
Charlotte Center for Legal Advocacy  
Healthy Capital District  
South Asian Council for Social Services  
United Jewish Organizations of Williamsburg