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FOR YOUR INFORMATION

Coeur d'Alene Press

Coeur d'Alene, Idaho

Friday, March 09, 2018

Rebecca Boone

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U.S. to Idaho: 'State-based' health plans don't pass muster

BOISE — Idaho's move to let companies offer health insurance plans that don't meet Affordable Care Act standards is illegal, U.S. officials said Thursday.

Centers for Medicare and Medicaid Services Administrator Seema Verma issued a letter to Gov. Butch Otter, a Republican, and Idaho Department of Insurance Director Dean Cameron saying that the Affordable Care Act remains the law and that her agency has a duty to enforce it.

Otter, Cameron and Lt. Gov. Brad Little announced earlier this year that they would begin allowing insurers to offer plans that don't meet all of the act's regulations, such as by charging people more based on their health history, or by not covering some health needs like maternity care. In the letter, Verma said such a move would force the federal agency to enforce the provisions of the Affordable Care Act on behalf of the state. That could include pulling regulatory authority from the Idaho Department of Insurance and fining insurance companies

\$100 a day for every person they insure on a noncompliant plan.

Otter's spokesman, Jon Hanian, declined immediate comment because the governor's office was still reviewing the letter.

Verma said her agency was sympathetic to Idaho officials' concerns, and said President Trump is "committed to doing everything in his power to increase competition, choice, and access to lower-priced, high-quality health care options for all Americans."

"As you know, the Patient Protection and Affordable Care Act (PPACA) is failing to deliver quality health care options to the American people and has damaged health insurance markets across the nation, including Idaho's," Verma wrote, noting that premium rates for coverage through the Idaho health insurance exchange have increased by more than 91 percent from 2014 to 2018, while insurance companies continue to incur losses.

Verma also outlined some options that she believes Idaho could legally take under a recently proposed federal rule. That rule would expand the availability of short-term, limited duration health insurance by allowing consumers to buy short-term plans that would cover them for just under a year.

She said that with some modifications, the noncompliant plans could be turned into short-term plans for customers.

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The letter listed eight areas in which the U.S. Department of Health and Human Services believes Idaho's proposed plans would fall short of federal requirements, including rules against charging customers significantly more based on their age, location or history, rules against discriminating against people with pre-existing medical conditions and rules prohibiting lifetime and annual coverage caps.

Other areas where Verma said the state-based plans fell short included failing to cover all "essential health benefits" required under the ACA and failing to include preventive services such as immunizations or some health screening tests.

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