



## News Alert – October 16, 2015

### ***New PSI-backed bill would require Marketplace insurers to accept non-profit premium assistance***

At the urging of PSI, Rep. Kevin Cramer (R-ND) introduced legislation last week that would require insurers participating in Affordable Care Act (ACA) Marketplaces to accept premium assistance provided by non-profit charitable organizations.

**The Access to Marketplace Insurance Act** (H.R. 3742) follows a Congressional Sign-On letter sent by Rep. Doris Matsui (D-CA) and 36 other House Democrats urging the Centers for Medicare and Medicaid Services (CMS) to revise last year's interim final rule that gave Marketplace insurers the discretion to deny third-party premium assistance from charitable groups, while requiring them to accept payments from state and federal health programs like the Ryan White HIV/AIDS Program. Republican lawmakers including Senators David Vitter (R-LA) and Bill Cassidy (R-LA) sent a similar letter last year.

CMS officials have not responded to lawmaker requests to explain the inconsistency between the interim final rule and two earlier guidance documents that specifically allowed "premium payments from private, not-for-profit foundations...that are based on financial status, do not consider enrollees' health status, and cover the entire policy year." Since the rule was published, at least 28 insurers in 22 states have refused such assistance and several others have indicated that they will start doing so in 2016.

PSI Government Relations will be working with Congressional offices in the coming weeks to secure bipartisan cosponsors for H.R. 3742. PSI is also submitting regulatory comments emphasizing that denying third-party premium assistance qualifies as prohibited discrimination under new CMS rules as it has "the effect of discouraging enrollment of individuals with significant health needs" and effectively circumvents the ACA mandate for insurers to cover all applicants regardless of health status.

Please contact PSI Director of Government Relations Jim Romano at [jromano@unneedpsi.org](mailto:jromano@unneedpsi.org) with any questions or information on how you can help advocate for this critical legislation.