

October 13, 2009

The Honorable Harry Reid  
United States Senate  
Washington, DC 20510

The Honorable Max Baucus  
United States Senate  
Washington, DC 20510

The Honorable Tom Harkin  
United States Senate  
Washington, DC 20510

The Honorable Chris Dodd  
United States Senate  
Washington, DC 20510

The Honorable Michael Enzi  
United States Senate  
Washington, DC 20510

The Honorable Charles Grassley  
United States Senate  
Washington, DC 20510

Dear Senators Reid, Baucus, Harkin, Dodd, Enzi and Grassley:

As national non-profit healthcare organizations and foundations, we thank you for the leadership you are exercising in merging the Senate Finance Committee and HELP Committee bills. Our organizations encourage you to eliminate preexisting condition exclusions and waiting periods for all individuals in every health insurance market to ensure access to care. The timing of implementation of this insurance reform measure is critical. Currently, the proposals allow for implementation to be completed in 2022. The constituents served by the groups represented on this letter urge you to shorten this implementation time-frame to allow initial implementation to begin in single insured and small group plans in 2010 and to complete implementation with large group and self-funded plans in 2011. While the bills you are merging deserve to be commended for addressing the problems preexisting condition restrictions impose on Americans through the elimination of waiting periods and look back periods, the undersigned organizations strongly support the principle that affordable health insurance absent waiting periods based on preexisting conditions is required as a cornerstone of healthcare reform. The imposition of preexisting requirements is the gate blocking access for those who today have at least one chronic illness that subjects them to preexisting condition limitations and locks them into existing plans and employment.

Currently, our laws allow significant gaps in coverage. These gaps are particularly devastating for Americans struggling to treat or manage a preexisting condition, which can include anything from seasonal allergies to cancer to heart disease. According to the Centers for Disease Control & Prevention, approximately 133 million Americans, or 45% of the population, have at least one chronic disease, placing them at potential risk of a preexisting condition exclusion. In addition, 20% of school-aged children have at least one chronic condition.

The Senate HELP Committee bill requires states to eliminate preexisting conditions exclusions and waiting periods within four years of the bill's enactment for all insurance markets, though states may act sooner. Under the Finance Committee bill, states are given five years beginning January 1, 2013 to phase-in insurance market reforms in the small group market. Beginning in 2017, large and self-insured employers would have 5 years to phase-in the elimination of preexisting conditions under the Finance bill.

According to the Employee Benefit Research Institute, as many as 73 million Americans, 55% of those receiving health coverage through their employer, are covered in self-insured health plans. The current health care reform proposals would perpetuate the discriminatory treatment of these Americans by

insulating large and self-insured employers for an unreasonably protracted period of time from requirements under the bill to assure fair and equitable treatment without regard to health status. Our organizations ask that the merged Senate health care reform bill address our request to construct implementation across a shortened timeline of 2010 and 2011. Early elimination of pre-existing conditions and waiting periods for individuals in every health insurance market will create an equal opportunity for improved access to coverage for all Americans.

Respectfully submitted:

**American Lung Association**

**American Psychosocial Society**

**Breast Cancer Network of Strength**

**C3: Colorectal Cancer Coalition**

**Coalition of Cancer Cooperative Groups**

**First Focus**

**International Myeloma Foundation**

**Lance Armstrong Foundation**

**Lupus Foundation of America**

**National Health Council**

**National Patient Advocate Foundation**

**Susan G. Komen for the Cure Advocacy Alliance**

**Us TOO International Prostate Cancer Education & Support**