

The Honorable Kathleen Sebelius, Secretary  
United States Department of Health and Human Services  
Centers for Medicare & Medicaid Services  
200 Independence Ave, S.W.  
Washington, D.C. 20201

Dear Secretary Sebelius:

Thank you for the opportunity to comment on the federal Exchange regulations. Our comments and recommendations are based on the lessons from Utah's experience with its own exchange, the Utah Health Exchange (UHE).

#### Background

- More than 386,000 Utahns don't have health insurance.
- Utah's small business health exchange is being held up as a model for the nation, but so far it has done little if anything to bring people into health insurance (so far only 840 individuals who get insurance through UHE did not have insurance previously), nor has it decreased costs for Utah consumers or small businesses.
- There are 67,000 small businesses in Utah, but the UHE serves only 165. Only 31% of small firms in Utah offer health insurance coverage, and this is why small businesses have high expectations for the new exchanges.

With certain changes, Utah's health insurance exchange can be the marketplace that individuals and small businesses need to access decent and affordable health insurance. The design and structure of Utah's health exchange will determine how easily consumers can find and compare health plans and whether they can afford to purchase or use health insurance.

The groups and small business owners listed on the following pages endorse these key principles for the success of health insurance exchanges. These principles are the necessary ingredients for Utahns to access decent affordable health insurance and for small businesses to limit their costs in providing coverage for their employees. They will make insurance affordable, help people find and compare health plans, and improve the health of children, small business owners and entrepreneurs, people with disabilities, people with chronic and serious illness, and working families without employer-based coverage.

#### **Recommended Principles and Parameters for the Exchange Regulations**

**Accountability:** The exchange should be governed by a board that has a majority consumer representation and that reflects the diversity of interests and skills in the Utah insurance marketplace. The governance board should be comprised of individuals with necessary expertise (consumer experience, health care, small business, and administration) who do not have a conflict of interest. All meetings and records of the governance board should be open and accessible to the public and include opportunities for public participation.

**Affordability:** The exchange should ensure that all Utahns can afford to buy health insurance for themselves and their families. Exchanges should include one simple application that will link customers with the public or private option they are best suited for. The exchange should include subsidies so that no one goes uninsured because it costs too much.

**Consumer Protection and Navigators:** Plans and networks must meet sufficiency standards so that covered individuals can get the care they need, when they need it. The exchange and the

insurers who sell in the exchange must be required to communicate in plain language, and to provide materials in appropriate formats for people with English language limitations, disabilities, and limited access to technology (i.e., by phone, in writing, or in person). Navigators should also be free of conflicts of interest and provide unbiased assistance to consumers. Navigators should include community based organizations, especially those best suited to help Utahns who will be buying health insurance for the first time.

**Transparency** is the key to a successful exchange. A successful exchange will make it possible for all Utahns to get the health care coverage they need, at a price they can afford, while ensuring they receive high quality health care.

TO SIGN ON, PLEASE SEND EMAIL TO [volunteer@healthpolicyproject.org](mailto:volunteer@healthpolicyproject.org) (in the subject line please write: "Sign on to Exchange Regs Comments") **by Sept. 27 5:00 pm.** For more information, contact Shelly Braun at [shelly@healthpolicyproject.org](mailto:shelly@healthpolicyproject.org) or Judi Hilman at [judi@healthpolicyproject.org](mailto:judi@healthpolicyproject.org) or (801) 433-2299.

**The Utah Community Comments on Federal Exchange Regulations are  
Endorsed by the Following Organizations**

**Organization or Small Business**

**Contact Name and Title**

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