



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

March 16, 2020

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Seema Verma
Administrator
Centers for Medicare and Medicaid Services
7500 Security Blvd.
Baltimore, MD 21244

Dear Secretary Azar and Administrator Verma;

Due to the national emergency declared by President Trump in light of the COVID-19 pandemic, I am writing to request that the Centers for Medicare & Medicaid Services (CMS) immediately issue a Special Enrollment Period (SEP) through HealthCare.gov for uninsured Pennsylvanians who may be unable to access testing and treatment. As of midday on Sunday, March 15, 2020, there have been 63 confirmed cases of COVID-19 in Pennsylvania. Nearly 450 Pennsylvanians have been tested for the novel coronavirus and we are expecting to identify more cases for testing in the coming days. We are urging everyone exhibiting symptoms to get tested and fear those without health insurance might forgo necessary testing and treatment due to the associated costs.

On March 6, I signed an emergency disaster declaration requiring my administration to initiate a statewide effort to protect the public health and safety of all Pennsylvanians. Our Insurance Department has worked with Pennsylvania's major health insurers to confirm they will cover medically appropriate COVID-19 testing without any cost-sharing for consumers. Our Department of Human Services has announced the state's Medicaid program and the Children's Health Insurance Program (CHIP) will cover COVID-19 testing treatment and that prior authorization will not be required in certain cases. These are steps being taken to protect our residents, but more can be done, particularly for those currently uninsured and in need of testing and treatment.

The prevalence and proliferation of COVID-19 outside of the annual Open Enrollment Period clearly meets the threshold for an exceptional circumstance and provides the justification necessary to issue a SEP for those without comprehensive insurance who may be impacted. We urge you to make the SEP available immediately and to keep it open for at least 60 days. Many state-based exchanges, to which Pennsylvania is transitioning for 2021, are considering or have already taken this action as a means to protect residents and facilitate access to COVID-19 testing. CMS recently released guidance clarifying that the diagnosis and treatment of COVID-19 is generally covered by Qualified Health Plans as an Essential Health Benefit (EHB). While we appreciate this clarification, we believe it is prudent to make Qualified

Health Plans, and their coverage of EHBs, available to everyone through an SEP. For these reasons, I urge you to make the SEP available immediately and keep it open for at least 60 days.

Thank you for your consideration and your efforts to ensure barriers to coverage are broken down for all Pennsylvanians during this vulnerable time.

Sincerely,

A handwritten signature in blue ink that reads "Tom Wolf". The signature is fluid and cursive, with a long vertical stroke extending downwards from the end of the name.

TOM WOLF
Governor