

March 19, 2015

Jeff Wu

Deputy Directory for Policy

James Mayhew

Director of Policy and Compliance and Enforcement Divisions, Oversight Group

Center for Consumer Information and Insurance Oversight (CCIIO)

Centers for Medicare & Medicaid Services

200 Independence Avenue SW

Washington, DC 20201

Dear Mr. Wu and Mr. Mayhew:

On behalf of the American College Health Association (ACHA), I write to thank you and your colleagues for the opportunity to meet on February 26, 2015 in order to share information about Student Health Insurance Plans (SHIPs) relative to the implementation of the Affordable Care Act (ACA). I, and my colleagues, sincerely appreciated the time afforded to us to explain and address certain developments and interpretations of the ACA and the implementing regulations that are proving problematic to the affordability and operability of SHIPs.

We hope that the information we provided regarding strict adherence to the actuarial value de minimis variation limit was useful in illustrating an unintended consequence of regulations (i.e. compulsory reduction of benefits already offered in high quality student health plans).

We also hope that the information we provided regarding state interpretations affecting the student health insurance risk pool and premium ratings was helpful in understanding the challenges that institutions of higher education are encountering, either from carrier or state regulator interpretations or directives. Whether relating to the intercollegiate athletic injuries coverage exclusion, dependent rating, or sub-group plan rating (e.g. international students versus graduate students), the effect in the illustrations we provided appear contrary to Congressional intent expressed in the Section 1560(c) rule of construction within the ACA. During our meeting, we also briefly discussed the restrictions on SHIPs in New Mexico. ACHA has since received a copy of New Mexico guidance for SHIPs (enclosed for your reference). We are deeply concerned about the first requirement which would take away the carrier's ability to issue a policy to the school. Again, this appears to be in direct conflict with the intent of the law.

Again we thank you for the opportunity to bring to your attention our issues of concern. As mentioned in our meeting, we encourage CCIIO to issue additional guidance on the aforementioned topics as soon as is practicable through a new set of frequently asked questions (FAQs) and we stand ready to work with you on the formulation and content of such guidance.

For your continued reference, I have also enclosed the summary document which we left with you at the end of our meeting. Please let us know how we can be helpful as we pursue our mutual goal of advancing the health of college students and access to affordable, quality insurance coverage through implementation of the ACA.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Van Orman". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Sarah Van Orman, MD, MMM, FACHA
President
American College Health Association

Enclosures:

New Mexico Submission Guidance
Student Health Plans and the Affordable Care Act