

July 28, 2021

Chiquita Brooks-LaSure
Administrator, Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-9906-P
7500 Security Boulevard
Baltimore, MD 21244-1850

Re: Updating Payment Parameters [CMS-9906-P]

Dear Administrator Brooks-LaSure:

On behalf of the 162,000 members of the American Dental Association (ADA) and the 10,800 members of the American Academy of Pediatric Dentistry (AAPD), we are writing to you in regards to the proposed rule, CMS-9906-P, Patient Protection and Affordable Care Act; Updating Payment Parameters, Section 1332 Waiver Implementing Regulations, and Improving Health Insurance Markets for 2022 and Beyond Proposed Rule. The ADA and AAPD appreciate the Centers for Medicare and Medicaid Services' (CMS) efforts to reduce the number of uninsured Americans and afford them the protections under the Affordable Care Act (ACA).

As organizations dedicated to advancing the oral health of the public, we welcome the opportunity to share our thoughts with CMS on how these goals can best be achieved in dental insurance coverage under the ACA.

State Exchange Direct Enrollment Options

CMS previously proposed significant changes to website portal functionality from the consumer standpoint by allowing separate webpages from the traditional HealthCare.gov page. Direct enrollment entities would have been able to create access points for coverage selection and states could have requested that CMS allow these to replace HealthCare.gov without a section 1332 waiver process. We are relieved this current proposed rule would repeal that exchange direct enrollment option; we agree with CMS and Treasury that it would have harmed consumers.

Extending the Annual Open Enrollment Period

CMS proposes to extend the annual open enrollment period for the Federally Facilitated Marketplaces (FFMs) to January 15. We support this change which implements a 75 day period of enrollment beginning with the 2022 plan year. Allowing consumers additional time to review options, including stand-alone dental plans (SADPs) will further grow this benefit and reduce the number of uninsured Americans.

New Low-Income SEP to Expand Access to Marketplace Coverage


We also support in the proposed rule a further expansion of access to marketplace coverage by creating a new special enrollment period (SEP) for consumers who are eligible for advance premium tax credits and whose household income is under 150 percent of the federal poverty level (FPL). A new, year-round SEP option for low-income consumers could reduce the number of uninsured who are healthier and younger overall.

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In particular, we remain concerned over the future end point of the declared public health emergency, which would end maintenance of effort requirements in the Medicaid program and could trigger a mass disenrollment of those who maintained their Medicaid coverage since the onset of the pandemic. We favor a permanent mechanism to smoothly transition those persons from the Medicaid program into an ACA SEP for low-income persons.

The ADA and AAPD look forward to continuing to work with CMS and we would welcome the opportunity to speak with you in more detail and answer any questions you have regarding these comments. Please contact Mr. David Linn at the ADA at (202) 789-5170 and linnd@ada.org or Mr. C. Scott Litch at the AAPD at (312) 337-2169 and slitch@aapd.org to facilitate further discussion.

Sincerely,



Daniel J. Klemmedson, D.D.S, M.D.
President, ADA



K. Jean Beauchamp, DDS
President, AAPD

DJK:KJB:dnl