

## United States Senate

December 10, 2018

COMMITTEES:  
BANKING, HOUSING, AND  
URBAN AFFAIRS  
COMMERCE, SCIENCE, AND  
TRANSPORTATION  
ENERGY AND NATURAL RESOURCES  
AGING  
INDIAN AFFAIRS  
RULES AND ADMINISTRATION

The Honorable Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Administrator Verma:

It has come to my attention that the Centers for Medicare and Medicaid Services (CMS) recently removed a document titled "*Marketplace Outreach: Best Practices for Outreach to Latino Communities*" from its Health Insurance Marketplace website. This removal occurred just one month prior to the beginning of the current Open Enrollment period and I am deeply concerned that this is the latest attempt by the administration to make it more difficult for Americans to sign up for insurance on the exchanges. This raises serious questions about why this removal occurred and what steps CMS is taking to ensure effective outreach to Latino communities.

As you are aware, the Latino community heavily relies on the opportunities provided by the Affordable Care Act (ACA) to access health insurance. Prior to the ACA, the uninsured rate among Latinos was 43%. By 2016, that figure had plummeted to under 25%.<sup>1</sup> Last year, more than one million Latino and Hispanic individuals took advantage of the Open Enrollment period to sign up for health insurance.<sup>2</sup> Despite this important progress, Latinos still have the highest uninsured rates of any racial or ethnic group within the United States.<sup>3</sup>

While there are still many challenges for Latinos looking to access health insurance, the important progress already made is at risk. Recent reports suggest that misguided immigration policies emanating from the administration may have contributed to the decline in the number of legal immigrants who access the Marketplace.<sup>4</sup> This comes at a time when the administration has also taken broader actions that disrupt the Marketplace such as reducing the enrollment period and cutting outreach and navigator funding, which directly impacts the ability to hire bilingual staff and train assisters and navigators in outreach to minority communities.

Each of these factors make it all the more concerning that this document was recently removed from the Health Insurance Marketplace website. This website serves as an "official Marketplace

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<sup>1</sup> Latino health coverage poised to slip during open enrollment season. USA Today. (October 29, 2017)  
<https://www.usatoday.com/story/news/nation/2017/10/29/latino-health-coverage-poised-slip-during-open-enrollment-season/798771001/>

<sup>2</sup> HEALTH INSURANCE EXCHANGES 2018 OPEN ENROLLMENT PERIOD FINAL REPORT. CMS. (April, 2018)  
<https://www.cms.gov/newsroom/fact-sheets/health-insurance-exchanges-2018-open-enrollment-period-final-report>

<sup>3</sup> Profile: Hispanic/Latino Americans. HHS, Office of Minority Health.  
<https://web.archive.org/web/20181201170141/https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=3&lvlid=64>

<sup>4</sup> Deportation fears have legal immigrants avoiding health care. AP. (Jan, 2018)  
<https://apnews.com/9f893855e49143baad9c96816ec81731>

information source” for assisters and navigators. Developed as a guide to train these individuals in helping Latino communities, this guide included best practices for overcoming linguistic, cultural, and technological barriers.

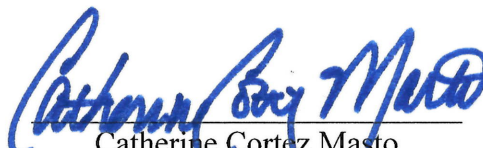
To my knowledge, no notice of or reasoning for the removal was given to the public. In response to a press inquiry, CMS stated that it “routinely performs updates and maintenance of CMS.gov,” and that “the slide presentation contained outdated information.”<sup>5</sup> However, this raises questions, such as:

1. What information was deemed inaccurate and why did this justify abrupt removal, without any immediate replacement, just one month prior to Open Enrollment?
2. Who at CMS approved the removal of this resource? What other individuals at CMS were involved in the decision?
3. Did CMS communicate with anyone outside of the agency, including others in the government, about the removal of this document?
4. What other resources are available on the website for navigators and assisters to learn about outreach to Latino populations?
5. When does CMS plan to re-post this, or a similar document, with updated information?
6. Has CMS removed any other resources meant to assist interested parties in reaching other minority populations or vulnerable communities?

With the current Open Enrollment period set to close on December 15, 2018, it is imperative that your agency swiftly restore resources that maximize the ability to successfully reach Latino communities. In accordance with this goal, I request that you provide answers to these questions as soon as possible. As an official source of information for assisters and navigators, the Health Insurance Marketplace website must provide updated information to ensure those responsible for assisting Latinos are properly equipped to reach those in need of aid.

I appreciate your attention on this matter and look forward to receiving your response.

Sincerely,



Catherine Cortez Masto  
United States Senator

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<sup>5</sup> CMS removes PDF used to train assisters in providing healthcare outreach to Latino communities. Sunlight Foundation. (Dec, 2018) <https://sunlightfoundation.com/2018/12/06/cms-removes-pdf-used-to-train-assisters-in-providing-healthcare-outreach-to-latino-communities/>