



Senate Committee on Health, Education, Labor, and Pensions Hearing: “The Online Federal Health Insurance Marketplace: Enrollment Challenges and the Path Forward.”

On Tuesday, November 5, 2013, the Senate Health, Education, Labor, and Pensions Committee conducted a full committee [hearing](#) to investigate technical problems with HealthCare.gov, security issues, higher premium costs, and cancelled health care policies. The sole witness for the meeting included:

- [Marilyn Tavenner](#), Administrator, Centers for Medicare & Medicaid Services (CMS) of U. S. Department of Health and Human Services.

The hearing began with opening statements from Committee Chairman Senator Tom Harkin (D-IA) and ranking member Senator Lamar Alexander (R-TN).

Chairman Senator Tom Harkin (D-IA) started his statement by sharing a testimony from a colon cancer patient. The patient does not have health insurance and like many uninsured Americans, he will hold off medical tests and treatments. Senator Harkin praised the PPACA because it will allow the American people to receive health coverage even with a pre-existing condition after January 1st 2014. However, he shared similar concerns and frustrations that his Republican colleagues have been vocal about in regards to the HealthCare.gov website. Senator Harkin urged the members of the committee to examine the big picture of the PPACA and to fix the technical problems so that the PPACA can succeed.

Ranking Member Senator Lamar Alexander (R-TN) also shared a testimony from one of his constituents in Tennessee. His constituent is having a problem keeping her insurance plan because of the new set of guidelines set by the PPACA. Senator Alexander is concerned for those Americans who are in a similar situation as his constituent. Many insurance companies are cancelling their current policies because it does not align with the rules set under the PPACA. Senator Alexander stated more competition in health insurance plans, encouraging small business plans, and ability to buy insurance across state lines should be encouraged.

Background

Since the October 1st rollout of the federal exchange marketplace website, there have been number of hearings on Capitol Hill to investigate problems instigated around the implementation of the PPACA (summaries are available [here](#)). One of the major components of the PPACA was to ensure that the American people are successfully enrolling in the federal health insurance plans. A key provision of the health care law was the launch of the new Health Insurance Marketplace. Although there are other avenues to sign up for the federal health care plans, HealthCare.gov website has been touted from the administration

and from CMS before the rollout. However, many people have complained about the technical problems and security issues in regards to the website. People are also starting to receive cancellation notices from their health insurance companies because the policies do not follow a certain set of guidelines determined under the PPACA.

Witness

Marilyn Tavenner, administrator of the Centers for Medicare & Medicaid Services (CMS) at the U.S. Department of Health and Human Services (HHS), testified before the Senate about the number of problems raised from the implementation of PPACA. Ms. Tavenner assured the members that consumer experience is continuing to improve each day. She explained that approximately 700,000 completed applications have been submitted to the website. She pointed out that they initially underestimated the demand and interest of the federal marketplace, which created unwanted technical problems with the website. Ms. Tavenner explained that they are seeing lower premiums. There are tax credits available to provide financial reliefs to eligible Americans. This allows health insurance to be affordable for the people. Also, comprehensive health insurance plans are being implemented so that insurance companies are no longer able to discriminate against patients with pre-existing conditions. In regards to security issues, Ms. Tavenner stated that the data service hub is a secured place that is used to correctly identify the applicants. Security tests on the website will be a continuous process. CMS has experience with working with mass amount of personal information and are able to secure them properly. She also shared similar concerns and frustrations that the people experienced with the website previously. However, she assured the members of the committee that these technical problems have been addressed and will continue to correct future problems. One of the main issues many of the consumers faced was their ability to successfully create an account. However, CMS immediately identified the issue and have made significant progress to ensure smooth consumer service. Ms. Tavenner stated that the website is now able to process nearly 17,000 registrants per hour or 5 per second. Another key issue that was recently addressed was allowing consumers to compare and view various health plans without having to creating an account. She assured the committee that CMS is dedicated in improving consumer experience using HealthCare.gov so that the American people can easily access affordable health care coverage that they need.

Questions and Discussion from the Committee Members

Chairman Senator Tom Harkin (D-IA) stated that it was important for the Health Insurance Marketplace provided accurate information. Senator Harkin asked specifically who was leading the effort in solving the technical problems and ensuring that there is accurate information provided by the website. Ms. Tavenner responded that QSSI has recently given the responsibility to lead the project working with her. She identified the technical problems into two categories. The first is that there are hardware problems which control performance and speed of the website. The initial demand for the health exchange website was underestimated but was quickly addressed in order to improve the website's speed and performance. The second set of problems they evaluated were internal software improvements. There were issues creating an email account through the website which was solved within the first week of the rollout. The federal health exchange website covers 34 states. The website is continuously updated each week with software improvements.

Senator Harkin continued to ask what type of security measure CMS is implementing in order to secure consumer's personal information. Also, how will the American people know that they are providing information to a secured location. Ms. Tavenner responded that the data service hub contractor is QSSI. The hub system serves both the federal and state exchanges. They conducted an end to end test on the hub which was finished by the end of September. The hub is a router and does not store any information. It serves to validate the provided information. The provided information on the individual application is stored; however that information is properly secured and continuously monitored.

Senator Lamar Alexander (R-TN) raised his concerns about the cancelled health insurance policies and people's inability to replace their health insurance by January 1st 2014. He asked if Ms. Tavenner would support Senator Ron Johnson's bill, "If You Like Your Health Care, You Can Keep It Act," which will allow the individuals to stay on "grandfathered plans" under the PPACA, unless the insurers have significantly modified the policies. Ms. Tavenner responded that she will not be supporting Senator Johnson's bill because she is not familiar with the content of the bill. She also explained that they have grandfathered existing plans in both the employer and individual market when determining the policies back in 2010. The grandfathered plan will remain in place if insurance companies continue to provide benefits and fall under the guidelines of the PPACA. There are frequent changes within health insurance policies. In response, the PPACA was trying to stabilize frequent turnovers and protect consumer health plans.

Senator Barbara A. Mikulski (D-MD) expressed her concerns about getting the younger population enrolled into the federal health exchanges. She further explained that the enrolling process is confusing. Senator Mikulski raised questions on how people can sign up for the program if they do not have access to a computer. Also, the major concern of enrollment revolves around the younger population. She asked how they plan to attract young adults to enroll in the federal health exchanges. Ms. Tavenner responded that they plan to utilize social media such as television, radio, and some form of print identified by top markets to promote and to attract young adults into the federal exchange market. However, the website must be stabilized before this takes place. There are currently Navigators in every state to help consumers enroll in a federal health care insurance plan. There are also trained brokers available to help assist individuals. Many hospitals provide assistance, including libraries that are certified to help consumers.

Senator Tim Scott (R-SC) explained to the committee and to Ms. Tavenner that one of his constituents, Tom Dougall, found out that HealthCare.gov exposed his personal information after receiving call from a stranger living in North Carolina. Senator Scott asked if they could remove Mr. Dougall's information from the website. He also stated there are no delete options for consumers on the website. He further asked if they will shut the website down until the security issues have been resolved. Ms. Tavenner explained that they have reached out to Mr. Dougall. The hub system had been completely security tested and signed off. Senator Scott addressed another security concern in regards to the website. His staff questioned HHS customer service representative about deleting Mr. Dougall's information from the website but they were unable to respond to the staff's request.