United States Senate
WASHINGTON, DC 20510

November 18, 2013

The Honorable Kathleen Sebelius
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Secretary Sebelius:

As proponents of universal health care coverage and supporters of the Affordable Care Act, we appreciate your ongoing focused efforts to implement the law. As the U.S. Department of Health and Human Services' work to repair the healthcare.gov website continues, we urge you to ensure that uninsured Americans are able to enroll in health plans through all available means.

Although we received repeated assurances from the Administration in the weeks before and since the healthcare.gov web site opened, previous targets set by the Administration for full operability of the web site have not been met. We are concerned that while the web site's troubles remain unresolved, healthy individuals will abandon attempts to apply on line, and we want to ensure that they can learn about plans and apply for coverage. Further, if and when additional glitches in the web site arise, Americans should have additional easy-to navigate avenues to apply for coverage.

We were encouraged to hear the President say that the Administration is working to streamline the paper application form and dedicate additional resources to help uninsured people evaluate their plan options and select coverage.

Section 1411 of the ACA provides you the flexibility to "modify the methods used under the program established by this section for the Exchange and verification of information if the Secretary determines such modifications would reduce the Administrative costs and burdens on the applicant, including allowing an applicant to request the Secretary of the Treasury to provide the information described in paragraph (3) [household income and family size] directly to the Exchange or to the Secretary."

We urge you to use this authority immediately to implement and publicize alternative methods for enrolling, including:

(1) Informing the public that individuals and families who do not qualify for tax credits can apply for coverage directly with participating insurance companies where they will receive the same comprehensive coverage and prices listed on the healthcare.gov web site;

(2) Creating a mechanism through which individuals and families who qualify for tax credits can apply for coverage directly to insurance companies and

authorize the companies to directly interface with the hub to verify income, family size, and citizenship;

(3) Enabling navigators on the HHS toll-free line and in communities to access health plan information without having to rely on the healthcare.gov web site;

(4) Making paper application forms and detailed information about coverage options widely available through a web page that is independent of the healthcare.gov web site;

(5) Enabling individuals to complete the application form on line as taxpayers can file their income tax returns with the Internal Revenue Service; and

(6) Ensuring that paper application forms and information about coverage options are available to the public at community health centers, hospitals, public libraries and other locations.

Thank you for your continued efforts to implement the Affordable Care Act. We look forward to your response.

Sincerely,

Benjamin L. Cardin
United States Senator

Barbara A. Mikulski
United States Senator