United States Senate
WASHINGTON, DC 20510

February 13, 2015

The Honorable Sylvia Mathews Burwell
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Burwell:

After a successful first year of enrollments in 2014 and continued progress in 2015, we know there is strong demand for the quality, affordable health coverage provided by the Affordable Care Act (ACA). But there is more we can do to help consumers take advantage of the historic benefits the law provides. Specifically, we write to urge the Administration to allow certain individuals who were uninsured in 2014 another chance to enroll in 2015 health coverage through a special enrollment period. To continue to strengthen the health security of American families, it is critical that we work together to identify new ways to enroll more of the uninsured.

To date, the ACA has reduced the number of uninsured in America by about 12 million, while costs have come in 20 percent below projections by the Congressional Budget Office. In the current open enrollment period for 2015, more than 10 million Americans have already signed up for affordable health plans, with 87 percent of enrollees in the federal marketplaces receiving subsidies to help them purchase this quality coverage.

This tremendous success comes despite consumers' lack of awareness of key provisions in the law designed to encourage enrollment: polling shows that more than half of uninsured Americans are unaware of the financial help that is available to make Marketplace coverage more affordable (56 percent), less than half of the uninsured are aware of the individual responsibility provision (46 percent) and even less knew when the open enrollment period for 2015 coverage would close (17 percent).

But this year, for the first time, Americans who could have afforded health coverage in 2014, but chose not to purchase it, may need to pay a fee with their federal tax return. While many of the uninsured will receive exemptions from the fee, it will apply to an estimated 2 to 4 percent of taxpayers. After paying the fee, these individuals may seek to purchase affordable health insurance and avoid a similar fee for 2015, only to discover that the open enrollment window closed on February 15.

To help ensure a smooth transition this year, we encourage the Administration to create a special enrollment period to allow these uninsured individuals who did not purchase affordable coverage in 2014, and were thus subject to the individual responsibility penalty, another chance to purchase coverage for 2015. Such a special enrollment period would increase coverage in affordable private health insurance and reduce the costs that the uninsured pass along to the insured.

We are confident that this special enrollment period would build on the success of the law by allowing even more uninsured Americans to benefit from the health and financial security provided by the Affordable Care Act.

Thank you for your consideration and we look forward to your prompt response.

Sincerely,

Tammy Baldwin
United States Senator

Joe Manchin
United States Senator

Heidi Heitkamp
United States Senator

Jon Tester
United States Senator

Claire McCaskill
United States Senator

Jeanne Shaheen
United States Senator

Angus S. King, Jr.
United States Senator

Mazie K. Hirono
United States Senator

Mark R. Warner
United States Senator

Charles E. Schumer
United States Senator

Debbie Stabenow
United States Senator