

October 24, 2016

Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
200 Independence Avenue, SW  
Washington, DC 20201

Re: HealthCare.gov outages

Dear Administrator Verma,

As organizations working to ensure consumers understand their health insurance options and are able to enroll, we are writing to you with deep concern regarding the recent Department of Health and Human Services (HHS) announcement that HealthCare.gov will have extended, scheduled outages. HealthCare.gov is the primary portal for millions of consumers who will be shopping for, enrolling and re-enrolling in Marketplace health insurance during the upcoming 2018 open enrollment period. As such, we strongly urge you to cancel any scheduled outages not completely necessary for typical website maintenance and take action to minimize the impact these outages will have on consumers.

In the open enrollment period for the 2017 plan year, 8.7 million individuals signed up for insurance through HealthCare.gov in 38 states. This platform has improved or grown over time, with new information and tools for consumers looking to understand their health insurance options. According to HHS, consumer engagement in shopping and comparing health coverage options was higher on HealthCare.gov compared to State-based Marketplace websites in 2017. Additionally, 65% of re-enrollees on HealthCare.gov actively chose a plan, demonstrating that HealthCare.gov is not just for new enrollees but for current enrollees shopping around for better plans. Therefore, access to this website is critical for all consumers who want to know their health care options.

While HealthCare.gov underwent periodic and short shutdowns for maintenance in previous open enrollment periods, the plans announced by HHS for this period are unprecedented. By shutting down for 12 hours during every Sunday but one, in addition to the first night of open enrollment, uncountable numbers of potential health insurance shoppers will not be able to shop for, enroll or re-enroll in coverage. As a result, many of these consumers may choose or be unable to, due to work or other schedules, return to enroll.

For working, low-income Americans in particular, Sunday may be the only day of the week they do not have work, and therefore the only convenient time to make complex decisions like signing up for health insurance. Outages during Sundays also will disproportionately impact religious institutions that meet on that day and work to help their congregants access health coverage. In addition, the extensive scheduled outages are further concerning given the shortened six-week open enrollment period, confusion about the status of the Affordable Care Act, and significant reduction in federal resources supporting outreach and enrollment.

Given this context, we strongly urge CMS to take immediate action to minimize the outages to HealthCare.gov, both in frequency and duration. With an open-enrollment period half the length of previous years, outages will have even bigger impacts than they might have in those years. If these

outages are unavoidable, we request that: 1) CMS provide a public explanation for their necessity compared to previous years, including why such maintenance must be conducted during key business hours, and 2) that CMS explain its plan(s) for how to provide information and follow-up to consumers who may try to access HealthCare.gov during these times.

Sincerely,

Asian & Pacific Islander American Health Forum  
ACA Consumer Advocacy (Illinois)  
American Diabetes Association  
American Federation of Teachers  
American Heart Association  
American Lung Association  
American Muslim Health Professionals  
Association of Asian Pacific Community Health Organizations (AAPCHO)  
Bazelon Center for Mental Health Law  
Black Women's Health Imperative  
Caring Across Generations  
Chicago Hispanic Health Coalition (Illinois)  
Children's Defense Fund  
Children's Defense Fund - California (California)  
Citizen Action/Illinois (Illinois)  
Community Catalyst (Massachusetts)  
Covering Wisconsin (Wisconsin)  
Cystic Fibrosis Foundation  
Disability Rights Wisconsin (Wisconsin)  
Doctors for America  
Ecker Center (Illinois)  
End Domestic Abuse WI (Wisconsin)  
EverThrive Illinois (Illinois)  
Family and Children's Services (Tennessee)  
Family Voices Indiana (Indiana)  
Farmworker Justice  
Friend Family Health Center (Illinois)  
Greater Wisconsin Agency on Aging Resources, Inc. (Wisconsin)  
Health Reform Resource Project (Kansas)  
Heartland Alliance for Human Needs & Human Rights (Illinois)  
Justice in Aging  
Kids Forward (Wisconsin)  
League of Women Voters of Illinois (Illinois)  
League of Women Voters of the United States  
Legal Council for Health Justice (Illinois)

March of Dimes  
Mental Health America of Wisconsin (Wisconsin)  
Metropolitan Chicago Breast Cancer Task Force (Illinois)  
MomsRising  
NASTAD  
National Association of Area Agencies on Aging (n4a)  
National Center for Transgender Equality  
National Consumers League  
National Council of Jewish Women  
National Hispanic Medical Association  
National Partnership for Women & Families  
National Women's Health Network  
Nebraska Appleseed (Nebraska)  
Oregon Foundation for Reproductive Health (Oregon)  
Organizing for Action  
Out2Enroll  
Planned Parenthood Federation of America  
Raising Women's Voices for the Health Care We Need  
RISE Stronger  
Sexuality Information and Education Council of the United States  
SisterReach  
Southwest Women's Law Center (New Mexico)  
The Arc of the United States  
The Palmetto Project (South Carolina)  
The Sargent Shriver National Center on Poverty Law (Illinois)  
Union for Reform Judaism  
Wisconsin Alliance for Women's Health (Wisconsin)  
Wisconsin Alliance for Women's Health (Wisconsin)  
Wisconsin Association for Perinatal Care (Wisconsin)  
Wisconsin Board for People with Developmental Disabilities (Wisconsin)  
Wisconsin Faith Voices for Justice (Wisconsin)  
WV FREE (West Virginia)  
Young Invincibles