

Congress of the United States
Washington, DC 20515

March 31, 2017

Ms. Seema Verma, Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244

Re: UnitedHealthCare Medicare Advantage Termination of Hartford HealthCare Provider Network

Dear Ms. Verma:

We are writing to you regarding an urgent matter that could disrupt healthcare services for thousands of Connecticut patients in the UnitedHealthcare Medicare Advantage Program. By way of context, UnitedHealthcare offers a Medicare Advantage program in Connecticut that contracts with Hartford HealthCare, a hospital system that extends to roughly a third of the state of Connecticut. Right now, due to an impasse in contract negotiations between UnitedHealthcare and Hartford HealthCare, patients are at risk of termination of critical medical care at midnight on April 14, 2017. While we are not writing to comment on the merits of either party's bargaining positions, we ask that you implement a Special Enrollment Period (SEP) to protect patient care if the parties are unable to agree and these mid-year network changes come into effect.

Hartford HealthCare provides services to thousands of UnitedHealthcare Medicare Advantage patients – approximately 5,000 see a primary care physician based at Hartford HealthCare. Although negotiations are ongoing between the two parties, on March 14, 2017 UnitedHealthcare abruptly informed their enrollees in the commercial and Medicare Advantage sectors of the termination of Hartford HealthCare's 5 hospitals, 3 skilled nursing facilities, home care services, surgery centers and nearly 2,000 medical professionals from their network as of April 15, 2017. As you can imagine, this has caused significant anxiety for patients who are in the midst of treatment at these facilities, or simply expected to have the option to see Hartford HealthCare physicians throughout the 2017 benefit year. For example, an 80-year-old cancer patient in Connecticut, who is undergoing chemotherapy slated to continue through June 2017, received 14 separate letters from UnitedHealthcare in Hot Springs, AR stating that his 14 different physicians were being ejected from his Medicare Advantage plan.


Per changes announced in the Center for Medicare and Medicaid Services' (CMS) CY2015 Call Letter, an insurance carrier offering Medicare Advantage Plans is required to inform you 90 days prior to contract expiration of their potential termination of a network of providers. The same document outlines CMS' discretion to allow for a Special Enrollment Period (SEP) following "substantial mid-year provider network terminations". Given the high number of patients being stranded by UnitedHealthcare's abrupt termination, we strongly believe that this action

constitutes "substantial mid-year provider terminations." Therefore, we urge CMS to grant an SEP to the enrollees in UnitedHealthcare MedicareComplete Plan 3 (HMO).

The impact of a loss of Hartford HealthCare services for these 5,000 Medicare Advantage enrollees can only be described as a significant disruption. Without an SEP, these members will be forced to select new primary care providers, new specialists, and familiarize themselves with new facilities, many of which will be outside of their communities and which may not offer the services they receive at Hartford HealthCare. Allowing these beneficiaries to choose any other Medicare Advantage plan offered in Connecticut will allow these patients to maintain their ongoing relationships with their providers. This is especially important for those beneficiaries going through treatment for acute and chronic conditions.

Given the substantial disruption beneficiaries will face should UnitedHealthcare and Hartford HealthCare fail to reach an agreement by April 15, 2017, we encourage CMS to offer these beneficiaries the opportunity to choose a Medicare Advantage Plan with providers that meet their needs by offering a Special Enrollment Period. Due to the fact that our constituents may face these changes immediately if an agreement is not reached, we ask that you notify us of your decision by April 17, 2017. If an SEP is not going to be granted, we ask that you meet with us to discuss the reasons you will not utilize your authority in that way to prevent needless disruptions of care to thousands of seniors in Connecticut.

Sincerely,


JOE COURTNEY
Member of Congress



CHRISTOPHER S. MURPHY
United States Senate


RICHARD BLUMENTHAL
United States Senator


JOHN B. LARSON
Member of Congress


ROSA L. DELAURO
Member of Congress


ELIZABETH H. ESTY
Member of Congress

cc: Marty O. Abeln
Medicare Drug & Health Plan Contract Administration Group