



November 5, 2018

The Honorable Seema Verma
Administrator, Centers for Medicare and Medicaid Services
200 Independence Ave, SW
Washington, DC 20201

RE: CMS-9936-NC, State Relief and Empowerment Waivers

Submitted Electronically via www.regulations.gov

Dear Ms. Verma:

I am writing on behalf of the National Association of Health Underwriters (NAHU), a professional association representing more than 100,000 licensed health insurance agents, brokers, general agents, consultants and employee benefits specialists. NAHU wishes to voice its support for the recent guidance issued by your agency, along with the rest of the Department of Health and Human Services and the Department of Treasury, related to Section 1332 of the Patient Protection and Affordable Care Act (ACA) and its implementing regulations titled *State Relief and Empowerment Waivers*.

The members of NAHU help individuals and employers purchase, administer and utilize health insurance coverage on a daily basis. Our chapters across the country frequently work with state policymakers on measures to improve the competitiveness of state health insurance markets, and it has always been the view of our association that high medical care costs present the most significant access barrier to affordable private-market health insurance options. As such, we are pleased to have the opportunity to provide comments on the new guidance, which we feel will offer excellent opportunities for health insurance market innovation in the states.

NAHU has long believed that Section 1332 of the ACA and the preexisting related regulations are too restrictive. In some instances, the old rules dissuaded states from pursuing waivers and the related inventive thinking that comes with designing new health coverage programs to serve state residents better. NAHU believes that the Trump Administration's work to restructure the application-review criteria and expand the ways states may be deemed eligible to pursue an innovation waiver will increase the number of applications. Furthermore, our organization is very supportive of the new flexibility that will be provided to states regarding the influx of pass-through funding to states, which we believe will be particularly helpful for states that elect to pursue Section 1332 innovation waivers to create reinsurance programs to support their individual and small-group markets. Finally, NAHU would like to specifically note our appreciation for the Administration's decision to promote the following five principles when considering waiver applications: (1) providing increased access to affordable private-market coverage;



(2) encouraging sustainable spending growth; (3) fostering state innovation; (4) supporting and empowering those in need; (5) promoting consumer-driven healthcare. NAHU members all over the country look forward to working with their governors, insurance commissioners and legislators in using this guidance to pursue new opportunities to create more stable health insurance market options that will provide increased choice and affordability to state residents.

We sincerely appreciate the opportunity to voice our support of the new regulatory framework for Section 1332 innovation waivers, as well as your commitment to gathering the viewpoints of all stakeholders about this critical topic. If you have any questions about our comments, or if NAHU can be of assistance as you move forward, please do not hesitate to contact me at either (202) 595-0787 or jtrautwein@nahu.org.

Sincerely,

A handwritten signature in black ink, which appears to read "Janet Stokes Trautwein". The signature is fluid and cursive, with a large initial "J" and "S".

Janet Stokes Trautwein
Executive Vice President and CEO
National Association of Health Underwriters