



Via electronic submission

February 25, 2022

The Honorable Janet Yellen
Secretary
Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Re: Virginia's Section 1332 State Innovation Waiver Application

Dear Secretary Yellen and Becerra:

The American Cancer Society Cancer Action Network (ACS CAN) appreciates the opportunity to comment on the State of Virginia's application for a Section 1332 State Innovation Waiver. ACS CAN is making cancer a top priority for public officials and candidates at the federal, state and local levels. ACS CAN empowers advocates across the country to make their voices heard and influence evidence-based public policy change as well as legislative and regulatory solutions that will reduce the cancer burden. As the American Cancer Society's nonprofit, nonpartisan advocacy affiliate, ACS CAN is critical to the fight for a world without cancer.

ACS CAN supports a robust marketplace from which consumers can choose a health plan that best meets their needs. Access to health care coverage is paramount for persons with cancer and survivors. Research from the American Cancer Society has shown that uninsured Americans are less likely to get screened for cancer and thus are more likely to have their cancer diagnosed at an advanced stage when survival is less likely and the cost of care more expensive.¹ In the United States, more than 1.9 million Americans will be diagnosed with cancer this year – an estimated 46,670 in Virginia.² An additional 16.9 million Americans are living with a history of cancer – 408,060 in Virginia.³ For these Americans access to affordable health insurance is a matter of life or death.

ACS CAN supports Virginia's proposal to create a reinsurance program through a Section 1332 waiver. A well-designed reinsurance program can help to lower premiums and mitigate the plan risk associated with high-cost enrollees. We note that the Department estimates the program will reduce premiums in the individual market by 15-20%.⁴ Overall, states that have implemented section 1332 state-based

¹ E Ward et al, "Association of Insurance with Cancer Care Utilization and Outcomes, *CA: A Cancer Journal for Clinicians* 58:1 (Jan./Feb. 2008), <http://www.cancer.org/cancer/news/report-links-health-insurance-status-with-cancer-care>.

² American Cancer Society. *Cancer Facts & Figures: 2022*. Atlanta: American Cancer Society, 2022.

³ American Cancer Society. *Cancer Treatment & Survivorship: Facts & Figures 2019-2021*. Atlanta: American Cancer Society, 2019.

⁴ Commonwealth of Virginia. *1332 State Innovation Waiver Application to Establish a State Reinsurance Program*. December 31, 2021.



reinsurance waivers for the individual market have seen statewide average premium reductions ranging from 3.75% to 41.17%, compared to premiums absent the waiver. For example, in 2021, statewide average premium reductions due to the waiver were 4.92% in Pennsylvania, 18.47% in Colorado, and 34.0% in Maryland, compared to a scenario with no waiver in place.⁵ These savings can reduce federal government subsidy payments, and lower premiums for consumers.

A reinsurance program may encourage insurance carriers to enter the market, bringing stability and more options for consumers. Nationally, in states with section 1332 state-based reinsurance waivers, the average number of qualified health plans weighted by enrollment increased by 30.6% from 2020 to 2021.⁶ Further, the expected maintenance or increase in plan competition due to the reinsurance program may help to keep premiums from rising. These premium savings could help cancer patients and survivors afford health insurance coverage and may enable some individuals to enroll who previously could not afford coverage – the application anticipates individual market enrollment will increase 2.9% with the reinsurance program compared to without.⁷

We are pleased that the proposal states that the waiver extension will not impact the comprehensiveness of coverage in Virginia. ACS CAN believes that patient protections in current law – like the prohibition on pre-existing condition exclusions, prohibition on lifetime and annual limits, and Essential Health Benefits requirements – are crucial to making the healthcare system work for cancer patients and survivors.

Conclusion

On behalf of the American Cancer Society Cancer Action Network, we thank you for the opportunity to comment on Virginia's application to establish a reinsurance program. We strongly support Virginia's proposal, which will provide long-term viability of the individual market while not eroding important consumer protections. If you have any questions, please feel free to contact Jennifer Hoque, Associate Policy Principal at Jennifer.Hoque@cancer.org or 202-839-3531.

Sincerely,



Kirsten Sloan
Vice President, Public Policy
American Cancer Society Cancer Action

⁵ U.S. Centers for Medicare and Medicaid Services. American Rescue Plan Provides States Additional Funding to Lower Health Coverage Costs, Increase Affordability for Americans. Press Release. September 7, 2021. <https://www.cms.gov/newsroom/press-releases/american-rescue-plan-provides-states-additional-funding-lower-health-coverage-costs-increase>

⁶ Ibid.

⁷ Commonwealth of Virginia. 1332 State Innovation Waiver Application to Establish a State Reinsurance Program. December 31, 2021.