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August 16, 2012

Ms. Danielle Holahan
Project Director
New York State Health Exchange
Corning Tower, Empire State Plaza
Albany, New York 12237

Ms. Donna Frescatore
Executive Director
New York State Health Exchange
Executive Chamber, State Capitol
Albany, New York 12224

[Submitted electronically to exchange@health.state.ny.us]

RE: Benchmark Option for Essential Health Benefits

Dear Ms. Holahan and Ms. Frescatore:

On behalf of the members of the New York State Association of Health Care Providers, Inc. (HCP), thank you for the opportunity to comment on the development of the Essential Health Benefits (EHB) benchmark plan for use in the individual and small group insurance markets.

HCP is a statewide trade association representing home and community based providers through advocacy, information and education. HCP represents approximately 400 offices of Licensed Home Care Services Agencies (LHCSAs), Certified Home Health Agencies (CHHAs), Long Term Home Health Care Programs (LTHHCPS), Hospices and related health organizations. Through a strong network of regional chapters and an active State office in Albany, HCP is a primary authority on the health care industry in New York State.

HCP strongly supports a benchmark option that incorporates the current benefits for home care services contained in the New York State Employee Plan's Empire Plan and other plans that incorporate home care benefits which, at a minimum, reflect the home care benefits currently outlined in New York State law.

Importantly, any EHB adopted by the State should allow for the delivery of home care services consistent with Section 4303(3)(B) of the State

insurance law, which states that *“Home care shall be provided by an agency possessing a valid certificate of approval or license issued pursuant to article thirty-six of the public health law.”* This option would allow New Yorkers to continue to avail themselves of home care services delivered by either certified or licensed providers, which HCP believes is critical to the continued provision of quality medical care in New York State.

Thank you again for the opportunity to comment on this fundamental step in implementing the Affordable Care Act (ACA) in New York State, and for your consideration of HCP’s recommendations relating to the EHB benchmark plan. At your convenience, I would be happy to schedule a meeting with you to discuss HCP’s recommendations in more detail.

Please don’t hesitate to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Johnston", with a stylized flourish at the end.

Christine L. Johnston
President