



HEATHER C. BRICCETTI, ESQ.
President & CEO

August 17, 2012

Ms. Donna Frescatore
Executive Director
New York Health Benefit Exchange
Executive Chamber, Room 248
Albany, NY 12224

Ms. Danielle Holahan
Project Director
Health Benefit Exchange Planning
New York State Department of Health
90 Church Street, 14th Floor
New York, NY 10007

Dear Ms. Frescatore and Ms. Holahan:

The Business Council of New York State, the state's largest statewide employer association, with nearly 3,000 members – businesses large and small all across the state – appreciates the opportunity to provide our comments on the August 2nd Milliman presentation on Essential Health Benefits (EHB) and the process for determining a benchmark plan.

What most stood out in the presentation was the fact that the ACA's ten mandated categories of EHBs coupled with New York's extensive list of already existing mandates will increase the cost of any benchmark insurance plan, potentially making health plans more expensive for New York's employers and employees alike. While we recognize that the presentation concentrated on the EHBs and not cost sharing, we believe that in order to fully comment on the progress of EHB determination, further information on the differences between potential benchmark plans and an analysis of how cost would be mitigated under a medal tier system is necessary.

Above all, affordability is the most important factor that should be used in determining an EHB benchmark plan. It is essential that New York adhere closely to federal requirements and not create expensive list of coverage mandates beyond those requirements. EHBs must remain just that, essential.

Additionally, The Business Council believes that it is imperative that New York's Exchange be an open market insurance model, wherein any insurer can sell policies on the Exchange so long as it meets benefit requirements, leading to a more efficient, cost-effective and fair Exchange.

Once again, we appreciate the opportunity to comment and look forward to working together to guarantee that the outcome of this process lives up to the Governor's stated purpose of the Exchange, cost-savings.

Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Nicholas C. Brucetta".