



August 17, 2012

Ms. Danielle Holahan
New York State Health Benefit Exchange
New York State Department of Health

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

RE: Benchmark Options for Essential Health Benefits

Dear Ms. Holahan:

The New York Alliance for Women's Health (NYAWH) submits these comments on New York's selection of an Essential Health Benefits (EHB) benchmark plan for use in the individual and small group insurance markets. NYAWH is an alliance of 57 organizations working to achieve optimal health for every woman in New York State. The partnership champions policies and legislation that promote public health, eliminate health disparities, and improve access to health care. We thank you for the opportunity to provide our comments on this fundamental step in implementing the Affordable Care Act in New York State.

The EHB decision is critically important; the benchmark plan that New York decides upon must meet the needs of all diverse segments of the state's population. The benchmark plan should include coverage that addresses the unique health care needs of women and our families and should provide the comprehensive care we need to stay healthy.

We strongly urge adoption of the **New York State Health Insurance Program's Empire Plan** as the best benchmark option for EHB in New York. The Empire Plan is the most comprehensive of the ten benchmark plan options. It is the only benchmark option that covers almost all of New York's individual and small group benefit mandates. It has more generous service limits on many services that are restricted by the other benchmark options, including the following services important to women: mental health, orthotics, chemical dependence, skilled nursing facilities, home health care, hospice, physical therapy, rehabilitation therapy, occupational therapy, and speech therapy. It covers adult dental care and a comprehensive range of reproductive health care services, including coverage that enables a woman to plan her pregnancy(ies) and get the safe, legal care she needs if and when she becomes pregnant. Finally, the Empire Plan does not exclude transgender-specific services.

Though a Milliman analysis predicts the Empire Plan would have a slightly higher effect on premium costs, New York should not reject the Empire Plan as the EHB benchmark plan. While affordability of coverage is important to our members, we expect that the Exchange will bring down premium costs and make care affordable. Our members need the security that a comprehensive benefit package, like the Empire Plan, provides.

Coverage for the full range of pregnancy-related services is especially important to the New York Alliance for Women's Health. Since research shows that most insurance plans in New York State cover abortion care like any other reproductive health service, it is especially important that the benchmark plan chosen in our state maintains this level of coverage. NYAWH also believes that the benchmark plan should incorporate a fundamental principle of nondiscriminatory access to care for every eligible individual, including transgender people. According to an analysis conducted by the Center for American Progress' LGBT State Exchanges Project, some of the plan options are likely to include transgender-specific exclusions. The New York Alliance for Women's Health therefore cannot support using the Federal Employee Health Benefit plans, the Small Group Oxford plans, or the HIP Prime plan as the state benchmark plan.

The New York Alliance for Women's Health believes the Empire Plan would serve as the best benchmark plan for New York women and families. We thank you for considering our comments.

Sincerely,



Catherine Lederer-Plaskett

*Signed on behalf of the Co-Chairs of the
New York Alliance for Women's Health*

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