



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

March 29, 2010

Ms. Karen Ignagni  
America's Health Insurance Plans  
601 Pennsylvania Ave., NW  
South Building, Suite 500  
Washington, DC 20004

Dear Ms. Ignagni:

Thank you for inviting me to address your members earlier this month to discuss health insurance reform. I appreciate all opportunities to discuss how this comprehensive, historic legislation will improve the health care system for all Americans.

Following the enactment of this legislation, our Department has begun work to quickly and carefully implement the provisions of the new law. As we move ahead, we look forward to working with you and your members as well as the public and other stakeholders interested in helping us fulfill the law's potential.

Unfortunately, recent media accounts indicate that some insurance companies may be seeking to avoid or ignore a provision in the new law that prohibits insurance companies from excluding children with pre-existing conditions from coverage.

Health insurance reform is designed to prevent any child from being denied coverage because he or she has a pre-existing condition. Leaders in Congress have reaffirmed this in recent days in the attached statement. To ensure that there is no ambiguity on this point, I am preparing to issue regulations in the weeks ahead ensuring that the term "pre-existing condition exclusion" applies to both a child's access to a plan and to his or her benefits once he or she is in the plan. These regulations will further confirm that beginning in September, 2010:

- o Children with pre-existing conditions may not be denied access to their parents' health insurance plan;
- o Insurance companies will no longer be allowed to insure a child, but exclude treatments for that child's pre-existing condition.

I urge you to share this information with your members and to help ensure they cease any attempt to deny coverage to some of the youngest and most vulnerable Americans. For too long, parents across the country have struggled as pre-existing conditions have prevented their children from accessing affordable, stable health insurance coverage. Health insurance reform eliminates this tremendous source of worry and helps ensure children have the care they need.

The American people debated and discussed health insurance reform for more than a year. Congress and the President have acted. Now is not the time to search for non-existent loopholes that preserve a broken system. Instead, we should work together to do the hard work of improving the affordability, quality, and accessibility of our health care system. I look forward to working with you to achieve that goal.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Sebelius".

Kathleen Sebelius  
Secretary



## **UNITED STATES CONGRESS**

### **FOR IMMEDIATE RELEASE**

Energy and Commerce Contact: Karen Lightfoot (202) 225-2927

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March 24, 2010

### **TRI-COMMITTEE CHAIRMEN STATEMENT**

**WASHINGTON, DC** — Reps. Henry A. Waxman, Sander M. Levin, and George Miller, the chairmen of the three committees with jurisdiction over health policy in the U.S. House of Representatives, issued the following statement today regarding the elimination of pre-existing condition exclusions for children, which is included in the historic health care reform law:

“Under the legislation that Congress passed and the President signed yesterday, plans that include coverage of children cannot deny coverage to a child based upon a pre-existing condition. We have been assured by the Department of Health and Human Services that any possible ambiguity in the underlying bill can be addressed by the Secretary with regulation.

“We fully expect that this legislation will prevent insurance companies from denying coverage. The concept that insurance companies would even seek to deny children coverage exemplifies why we fought for this reform effort and will continue fighting to ensure all Americans have access to high quality, affordable care.”

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