February 25, 2014

Gary Cohen
Deputy Administrator and Director
Center for Consumer Information and Insurance Oversight
Centers for Medicare and Medicaid Services
Letter via email to: FFEcomments@cms.hhs.gov

Re: Draft 2015 Letter to Issuers in the Federally-facilitated Marketplace (FFM)

Dear Mr. Cohen:

I am writing on behalf of the American College of Nurse-Midwives (ACNM), the national professional organization representing the interests of certified nurse-midwives (CNM) and certified midwives (CM) practicing in the United States, in response to the Draft 2015 Letter to Issuers in the Federally-facilitated Marketplace (FFM), dated February 4, 2014. Specifically, we wish to comment on CMS’ proposal regarding network adequacy determinations. We hope that you find our comments helpful and look forward to your response in the final version of the Letter.

Specific Comments on “Section 3. Network Adequacy”

ACNM applauds CMS decision to take responsibility for review of plan network adequacy. This step will allow for a centralized examination and comparison of networks and will ensure that a consistent approach is used, which would not be the case were states to continue their necessarily varied review of plan networks. Such consistency ensures comparability among plans that is the bedrock of the competitive approach envisioned for the Marketplaces by the Affordable Care Act.

We also strongly support CMS’ announced intention to create a tool that will allow consumers to “search for particular providers and provider types.” As a national professional association interested in understanding the landscape of coverage for CNM and CM services, it is important to us to have access to these data and obtaining them has been difficult, both because of the technical challenges initially encountered with obtaining provider network data, but also because of the need to access the data through individual searches by plan.

We are concerned about this because we have begun to hear anecdotal reports about plans that may not necessarily contract with CNMs/CMs, or whose provider directories do not adequately inform potential enrollees about the CNMs/CMs that may be in their network.
initial stages of a survey of plans regarding their contracting practices related to CNMs/CMs and will have more data to share with CMS when we have completed that work in the coming months.

In the meantime, we believe that CMS’ more uniform approach will ensure that CNMs/CMs, who collectively attend the deliveries of nearly 8% of the births in this country, are included in QHP networks as providers of maternity and newborn care.

We are also concerned about the extent to which QHP’s include birth centers in their networks. Birth centers provide a unique and very cost-effective alternative to hospital birth and consumer demand for their services is increasing. We encourage CMS to include examination of whether these important facilities are included as providers of maternity and newborn care within the QHP networks.

Should you have any questions, please feel free to contact me at jbushman@acnm.org or 240-485-1843.

Best Regards,

Jesse S. Bushman, MA, MALA
Director of Advocacy and Government Affairs
American College of Nurse Midwives