



POLICY & ACTION FROM CONSUMER REPORTS

Secretary Sylvia Mathews Burwell
Department of Health and Human Services
Attention: CMS-10558
P.O. Box 8012
Baltimore, Maryland 21244-1850

May 22, 2015

Submitted via www.regulations.gov

Re: Paper Reduction Act – CMS 10558 – Information Collection for Machine Readable Data for Provider Network and Prescription Formulary Content for FFM QHPs

Consumers Union, the policy and advocacy division of Consumer Reports,¹ submits these comments regarding the proposed information collection for machine readable data for provider network and prescription drug formulary content for FFM QHPs.

Consumers continue to face challenges navigating and using provider directories online, assessing the accuracy of provider directories, comparing directories across plans, and understanding how to proceed when a plan they picked for a certain provider does not renew a contract with that provider in the middle of the plan year. We believe that the provisions in §156.230(b) and §156.122(d) are essential for ensuring that consumers have adequate information throughout the coverage year, both at open enrollment and during special enrollment.

We applaud CMS for establishing the PRA that outlines information to be collected that would enable provider directory and prescription formularies to be accessible and transparent to consumers searching for FFM QHPs. Clear information about what is required of QHPs, a template for how that information should be reported, and standards for uniform data collection are all important for realizing the vision behind §156.230(b) and §156.122(d).

Machine readable provider and formulary data will hasten the availability of integrated provider directories, something long needed to make the health insurance shopping experience more meaningful, accessible and transparent for consumers. An integrated provider directory available on an Exchange's website, for example, will best allow

¹ Founded in 1936, *Consumer Reports* is an expert, independent, nonprofit organization whose mission is to work for a fair, just, and safe marketplace for all consumers. Using more than 50 labs, its auto test center, and survey research center, the non-profit organization rates thousands of products and services annually. Consumer Reports has over 8 million subscribers to its magazine, website, and other publications. Its policy and advocacy division, Consumers Union, works for health reform, food and product safety, financial reform, and other consumer issues in Washington, D.C., the states, and the marketplace. This division employs a dedicated staff of policy analysts, lobbyists, grassroots organizers, and outreach specialists who work with the organization's more than 1million online activists to change legislation and the marketplace in favor of the consumer interest.

consumers to shop for and compare plans. The requirement that all directories be in a machine-readable file will help ensure that consumers have access to integrated provider directories at the earliest date possible.

These new requirements should not be delayed – indeed publicly available, machine readable data on provider directories and drug formularies represent a critical and overdue step to providing consumers with usable information about health plans at the point of health plan shopping. We strongly recommend that CMS move forward on important parallel fronts, such as ensuring the accuracy of the data² and possibly including additional data elements.

The information required in the PRA is the baseline minimum amount needed for consumers to be able to properly use their insurance. We would urge CMS to go further. In addition to the information about which providers are accepting new patients and specialty, medical group, and institutional affiliations (e.g. hospital privileges), the machine-readable data required should also include better information about access to services for limited English proficient and disabled populations by requiring data about any independent practice association (IPA) affiliations, languages spoken by the provider, and whether the provider office is accessible to people with disabilities. (Consumers Union has developed a set of consumer protection principles for provider directories, which may be helpful in terms of implementing §156.230(b) and §156.122(d).³)

On behalf of Consumers Union, we urge CMS to continue to call on issuers to strengthen and make more transparent provider directories and believe the PRA is one important step in furthering that goal.

Sincerely,



DeAnn Friedholm
Director
Health Care Reform

² “Making Provider Directories Meaningful to Consumers,” Consumers Union, December 2014. Available at http://consumersunion.org/wp-content/uploads/2014/12/Provider_Directories_principles_1214.pdf

³ *Ibid.*

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