

March 7, 2012

The Honorable Barack Obama
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Harry Reid
U.S. Senate
Washington, DC 20510

The Honorable John Boehner
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
U.S. Senate
Washington, DC 20510

The Honorable Nancy Pelosi
U.S. House of Representatives
Washington, DC 20515

Dear Mr. President, Majority Leader Reid, Minority Leader McConnell, Speaker Boehner, and Minority Leader Pelosi:

As leading national, state, and local advocates concerned about the health and well-being of America's children, we are writing to seek your assistance in addressing a "family-glitch" in current law that has the potential to disrupt the availability of affordable health coverage for our nation's children. Last fall, Congress passed and the President signed into law H.R. 2576, so-called "Medicaid glitch" legislation, to be sure that income eligibility is targeted to the neediest Americans. There is another serious glitch affecting the health of children and families that similarly needs your attention. Specifically, we seek your help to clarify language in the Affordable Care Act (ACA) to ensure that employees have an affordable coverage option not only for themselves but also for their dependents.

Under a current interpretation of the ACA, the test of whether an employer-sponsored health plan is affordable for an entire family is based only on the cost of coverage for the individual employee. Specifically, a recent Treasury Department proposed rule indicates that if the cost of self-only coverage for an employee does not exceed 9.5 percent of the taxpayer's household income then the coverage is considered affordable for the family. This interpretation does not take into account whether coverage is actually affordable for an entire family, and it restricts access for dependents to exchange subsidies when the offer of individual coverage for the employee is deemed affordable. This is particularly problematic given that employee-only insurance premiums average about \$5,400 per year, while annual employee-and-family premiums are nearly triple the cost, at \$15,000. Our groups are very concerned that this interpretation will make it difficult for families to secure affordable coverage for dependents, including children and spouses. Loss of coverage is unacceptable for any individual; for pregnant women or children with special healthcare needs, lack of health care could lead to adverse birth or developmental outcomes.

Whether through administrative action or legislation clarifying congressional intent, we call on you, our nation's leaders, to act quickly to address this problem, making sure that the test to determine whether coverage is affordable for a family is based on the cost of covering an entire family and not solely on the cost of coverage for an individual employee. Without action by the Administration or by Congress to address this issue, it is a certainty that families will face significantly higher costs in covering dependents or may be left without an affordable coverage option altogether.

We are sincerely thankful for your hard work on children's health care and would be happy to assist you in finding a solution to address this critical issue.

Sincerely,

National Organizations

African American Health Alliance
America's Promise Alliance
American Academy of Child and Adolescent Psychiatry
American Academy of Family Physicians
American Academy of Pediatrics
American Association of School Administrators
American Diabetes Association
American Federation of State, County, and Municipal Employees
Association of Community Affiliated Plans
Association of University Centers on Disabilities
Bazelon Center for Mental Health Law
Children's Defense Fund
Children's Dental Health Project
Children's Hospital Association
Doctors for America
Easter Seals
Families USA
Family Voices
First Focus Campaign for Children
Georgetown University Center for Children and Families
March of Dimes
Mental Health America
Momsrising
National Assembly on School-Based Health Care
National Association for Children's Behavioral Health
National Association of Pediatric Nurse Practitioners
National Council of La Raza
National Disability Rights Network
National Education Association
National Health Law Program
National Immigration Law Center
National Partnership for Women & Families
National Women's Law Center
PICO National Network
Racial and Ethnic Health Disparities Coalition
RESULTS
Sargent Shriver National Center on Poverty
The Children's Health Fund
The Children's Partnership
The Every Child Matters Education Fund
The National Alliance to Advance Adolescent Health
Voices for America's Children

State Organizations

AK: Alaska Literacy Program (Anchorage)
AK: Denali Family Services (Anchorage)
AK: Urban Works (formerly the Anchorage Urban League) (Anchorage)
AZ: Children's Action Alliance (Phoenix)
AR: Arkansas Advocates for Children & Families (Little Rock)
CA: California Coverage & Health Initiatives (Sacramento)
CA: Children Now (Los Angeles)
CA: Children Now (Oakland)
CA: San Diegans for Healthcare Coverage (San Diego)
CA: United Ways of California (South Pasadena)
CO: Colorado Center on Law and Policy (Denver)
CT: Connecticut Association for Human Services (Hartford)
CT: Connecticut Voices for Children (New Haven)
HI: Family Voices of Hawaii (Honolulu)
IA: Beckett Family Consulting (Cedar Rapids)
IA: Child and Family Policy Center (Des Moines)
IA: Iowa Policy Project (Iowa City)
IL: Illinois Advocates for Persons who are Deafblind (South Beloit)
IN: Early Intervention Family Alliance (Indianapolis)
KA: Kansas Action for Children (Topeka)
KY: Kentucky Youth Advocates (Jeffersontown)
MA: Health Care for All (Boston)
MA: Massachusetts Association for School-Based Health Care (Boston)
MA: Medical-Legal Partnership (Boston)
MD: Advocates for Children & Youth (Baltimore)
ME: Maine Children's Alliance (Augusta)
ME: Maine Parent Federation (Waterville)
ME: New England Consortium Poverty Reduction Initiative (South Portland)
NC: Action for Children (Raleigh)
ND: Family Voices North Dakota (Edgeley)
NE: Voices for Children in Nebraska (Omaha)
NH: Children's Alliance of New Hampshire (Concord)
NJ: Advocates for Children New Jersey (Newark)
NJ: Statewide Parent Advocacy Network (Newark)
NM: New Mexico Voices for Children (Albuquerque)
NY: S2AY Rural Health Network (Corning)
NY: Catholic Charities of the Diocese of Albany (Albany)
NY: Health & Welfare Council of Long Island (Hempstead)
NY: Mothers & Babies Perinatal Network (Binghamton, NY)
NY: North Country Children's Clinic, Inc. (Watertown)
NY: Westchester Children's Association (White Plains)
OK: Oklahoma Policy Institute (Tulsa)
OR: Children First for Oregon (Portland)
PA: Pennsylvania Partnerships for Children (Harrisburg)
PA: Public Citizens for Children and Youth (Philadelphia)
RI: Family Voices/Rhode Island Parent Information Network (Cranston)

RI: Providence School Department (Providence)
RI: Rhode Island KIDS COUNT (Providence)
RI: Westerly Public Schools (Westerly)
SC: South Carolina Appleseed Legal Justice Center (Columbia)
TX: Children's Defense Fund (Bellaire)
UT: Voices for Utah Children (Salt Lake City)
VA: Voices for Virginia's Children (Richmond)
WA: Children's Alliance (Seattle)
WI: Citizen Action of Wisconsin (Milwaukee)
WI: Community Advocates Public Policy Institute (Milwaukee)
WI: Mental Health America of Wisconsin (Madison)
WI: Wisconsin Alliance for Women's Health (Madison)
WI: Wisconsin Council on Children and Families (Madison)
WI: Wisconsin Family Ties (Madison)