

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

May 15, 2020

By electronic delivery to www.reginfo.gov

CMS, Office of Strategic Operations and Regulatory Affairs
Division of Regulations Development
Attention: Document Identifier/OMB Control Number CMS-10716
7500 Security Boulevard
Baltimore, Maryland 21244-1850

Re: CMS-10716 Applicable Integrated Plan Coverage Decision Letter

Justice in Aging appreciates the additional opportunity to provide comments on CMS-10716.

Justice in Aging is an advocacy organization with the mission of improving the lives of low-income older adults. We use the power of law to fight senior poverty by securing access to affordable health care, economic security and the courts for older adults with limited resources. We have decades of experience with Medicare and Medicaid, with a focus on the needs of low-income beneficiaries and populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency (LEP).

We appreciate the revisions made to the letter based on our previous comments dated December 17, 2019, including: changes made to clarify the standards under which the coverage decision is based on, editing references to the Evidence of Coverage, and the creation of a Spanish language decision letter. These additional steps will assist dual eligibles, including LEP Spanish speakers, understand their plans' coverage decisions and reduce potential confusion.

In this comment period, we reiterate our previous comments that CMS follow up with plans on consumer testing translations. We would like to see routine consumer testing of health plan language for English as well as non-English documents. We also reiterate our ask that CMS encourage plans to send translated decision letters whom they know are LEP even in situations where translation is not required. If plans can only send an English-language decision letter, plans should reach out to the member to ensure they understand the letter's contents and its importance.

Thank you for considering our comments. If any questions arise concerning this submission, please contact Denny Chan at dchan@justiceinaging.org.

Sincerely,



Jennifer Goldberg
Deputy Director

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