

# United States Senate

WASHINGTON, DC 20510

COMMITTEES:  
COMMERCE, SCIENCE, AND  
TRANSPORTATION  
FOREIGN RELATIONS  
SELECT COMMITTEE ON INTELLIGENCE  
SMALL BUSINESS AND  
ENTREPRENEURSHIP

September 28, 2016

The Honorable Andy Slavitt  
Acting Administrator  
Centers for Medicare & Medicaid Services  
200 Independence Avenue S.W.  
Washington D.C. 20201

Dear Acting Administrator Slavitt,

I write to express concerns regarding the automatic enrollment of seniors into health insurance companies' Medicare plans when they reach the age of 65, a practice that is catching many patients off guard and may cost them a significant amount of money.

Companies are approved to use this "seamless conversion" process by the Centers for Medicare & Medicaid Services (CMS) under Section 1851(c)(3)(A)(ii) of the Social Security Act, as long as they inform beneficiaries of the new coverage and allow them 60 days to opt out before their coverage is automatically changed. However, as the *Miami-Herald* recently reported, this information is not being relayed to seniors effectively, and many "find out they've been auto enrolled only when they get a bill from a physician or a hospital."

While it is important to ensure seniors do not have to worry about unnecessary paperwork, efficiency should not come at the expense of transparency. I request you review this practice and ensure CMS and participating insurance companies are being as transparent as possible with patients. Our seniors should understand the issues surrounding any scheduled automatic enrollment, the coverage these new plans will provide, any changes in cost, and their ability to opt out.

I also request CMS provide a detailed breakdown of the steps seniors must take to reverse any erroneous automatic enrollment. If any such process is at the discretion of participating insurance companies, I would ask that you work with these companies to ensure seniors are not only aware of any changes in their care, but are also promptly assisted to correct any errors.

Again, while I acknowledge that seamless conversion provides continuity of care and simplifies the administrative process, it should not come as a surprise to seniors that their health insurance coverage has changed.

Thank you and I look forward to hearing your thoughts on the matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MR', with a long horizontal flourish extending to the right.

Marco Rubio  
United States Senator