



January 22, 2020

The Honorable Jene Vickrey  
Kansas House of Representatives  
Kansas State Capitol  
300 SW 10th St.  
Topeka, KS 66612

Re. HB 2053 – written and oral testimony for the January 22 House Insurance Committee hearing

Dear Chairman Vickrey and Members of the Committee:

The Leukemia & Lymphoma Society (LLS) appreciates the opportunity to comment in opposition to House Bill 2053, a bill that would weaken consumer protections for short-term, limited-duration plans (also known as short-term plans).

Short-term plans exist for a narrow purpose: they are built to be a temporary, bare-bones option that should not be confused with full-fledged health coverage. Short-term plans achieve lower premiums by offering sharply reduced benefits. If holders of these policies become severely ill, they are likely to encounter major financial and medical difficulties once the shortcomings of these plans become apparent. The marketing of short-term plans understates these risks, and consumers frequently do not understand the consequences of the fine print until it's too late.<sup>1</sup>

In May 2018, LLS and 20 other patient and consumer advocacy organizations submitted joint comments regarding the federal rule changes that bring us to today's discussion. Our groups, representing millions of Americans with pre-existing conditions, expressed concern that deregulating short-term plans would create underinsurance problems for the individuals and families we serve. We also warned that these plans would create adverse-selection issues for insurance pools: by moving healthier people onto substandard plans, the costs of coverage would certainly rise for consumers with pre-existing conditions elsewhere in the private market who would not or could not pursue a short-term plan.<sup>2</sup>

Nothing has changed to relieve these concerns today as your committee discusses HB 2053.

The overwhelming majority of healthcare groups share our concerns. Out of 340 healthcare groups who commented on the federal short-term rule proposal, more than 98 percent issued critical

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<sup>1</sup> [https://www.rwjf.org/content/dam/farm/reports/issue\\_briefs/2019/rwjf451339](https://www.rwjf.org/content/dam/farm/reports/issue_briefs/2019/rwjf451339)

<sup>2</sup> <https://www.regulations.gov/document?D=CMS-2018-0015-8740>

comments, including every patient, physician, nurse and hospital organization that commented on the proposal.<sup>3</sup> Nearly 30 health, consumer, and medical groups – including LLS, AARP, the American Heart Association, and the American Medical Association – have either filed suit or submitted friend-of-the-court statements supporting legal action against the finalized rule.<sup>4</sup>

We share your concern for uninsured and underinsured Kansans, and agree that affordability matters. Promoting broader access to short-term plans is not the solution. These products are designed to be affordable only when the policy holder is healthy: relying on them for lengthy coverage will only increase the odds of medical and financial disaster when a serious illness strikes, and will further destabilize the individual market.

Please vote “no” on HB 2053 for the sake of people facing serious illness today and tomorrow, and work instead to adopt shorter terms and stronger guardrails for these substandard plans.

Sincerely,



Dana Bacon  
Kansas Government Affairs Director  
The Leukemia & Lymphoma Society

[dana.bacon@lls.org](mailto:dana.bacon@lls.org)

612.308.0479

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<sup>3</sup> <https://www.latimes.com/politics/la-na-pol-trump-insurance-opposition-20180530-story.html>

<sup>4</sup> <https://www.communityplans.net/seven-health-organizations-file-lawsuit-against-short-term-limited-duration-plan-final-rule/>, <https://www.fightcancer.org/sites/default/files/National%20Documents/2018-10-08%20SLDP%20Amicus%20Brief.pdf>, [https://www.acponline.org/acp\\_policy/testimony/amicus\\_brief\\_short\\_term\\_insurance\\_plans\\_2018.pdf](https://www.acponline.org/acp_policy/testimony/amicus_brief_short_term_insurance_plans_2018.pdf), and [https://www.aarp.org/content/dam/aarp/aarp\\_foundation/litigation/pdf-beg-02-01-2016/ACAP-brief.pdf](https://www.aarp.org/content/dam/aarp/aarp_foundation/litigation/pdf-beg-02-01-2016/ACAP-brief.pdf)