

Congress of the United States

Washington, DC 20510

November 21, 2019

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Secretary Azar and Administrator Verma:

We write you to express concern about recent media reports of widespread technical failures on HealthCare.gov.¹ On the first day of Open Enrollment for the 2020 Plan Year, many HealthCare.gov users reported encountering error messages during the enrollment process. One estimate suggests that as many as 100,000 fewer people may have signed up for coverage on the first day of Open Enrollment due to technical issues with HealthCare.gov.² We are very concerned these errors may have prevented some consumers from completing their enrollments as intended during an already abbreviated Open Enrollment Period and created further barriers for people to access health coverage. Additionally, we are seeking assurances that these errors have been resolved so that consumers do not continue to encounter problems through the rest of the Open Enrollment Period, scheduled to end on December 15. Families across the country rely on this website to search for and enroll in quality, affordable health coverage, and they need to know they won't be stopped by unaddressed technical issues.

Each year, millions of families depend on HealthCare.gov to enroll in reliable and affordable health care coverage. The HealthCare.gov platform directly facilitated over 50 million enrollments from 2014 to 2019. In the 32 states that use the Federally Facilitated Marketplace and the six state-based marketplaces using the Federal Platform, HealthCare.gov is the trusted source for comparing and purchasing qualified health plans and verifying eligibility for financial help with purchasing coverage.³

The Centers for Medicare & Medicaid Services (CMS) has stated that the issues were corrected and HealthCare.gov was fully operational over the first weekend of Open Enrollment. However, fewer people traditionally use HealthCare.gov over the weekend. In addition, if the

¹ <https://apnews.com/da4bb26e243a46c5941a33f917fc6522>

² <https://medium.com/get-america-covered/week-1-enrollment-indicates-that-day-1-healthcare-gov-bdada16234a0>

³ <https://www.kff.org/health-reform/state-indicator/state-health-insurance-marketplace-types/?currentTimeframe=0&sortModel=%7B%22collId%22:%22Location%22,%22sort%22:%22asc%22%7D>


volume of traffic to the site prompted the technical issues, we are concerned they could recur later in the Open Enrollment Period.

We request that you please answer the following questions by no later than December 2, 2019:

1. Has CMS investigated the source of HealthCare.gov user difficulties reported on and around November 1, 2019? Did CMS determine the source(s) of the technical issues and error messages on HealthCare.gov as described in widespread consumer reports? If so, what was the source of the problem? Please confirm whether the source of the problem was related in any way to the volume of traffic to the site on November 1.
2. How many people are estimated to have been impacted by the technical issues?
3. What steps did CMS take to address the technical issues?
4. What actions is CMS taking to assist consumers affected by technical issues on HealthCare.gov? What steps is CMS taking to ensure that all users who wish to enroll are able to successfully do so?
5. Can CMS confirm that all technical issues with HealthCare.gov have been resolved?
6. Does CMS anticipate any other service disruptions to the Open Enrollment process between now and December 15, 2019?

Thank you in advance for your attention to this matter. We ask that you alert us if there are any further service disruptions during Open Enrollment. If you have any questions, or would like to further discuss compliance with this request, please contact Colin Goldfinch with Ranking Member Murray at 202-224-7675, Arielle Woronoff with Ranking Member Wyden at 202-224-4515, Saha Khaterzai with Chairman Pallone at 202-225-2927, Melanie Egorin with Chairman Neal at 202-225-3625, and Daniel Foster with Chairman Scott at 202-225-3725.

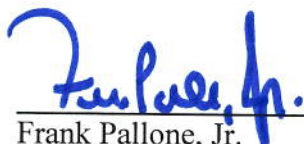
Sincerely,



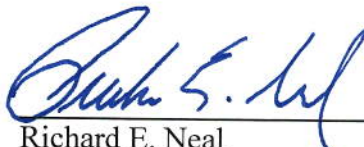
Patty Murray
Ranking Member
Senate Committee on Health, Education, Labor,
and Pensions



Ron Wyden
Ranking Member
Senate Committee on Finance



Frank Pallone, Jr.
Chairman
House Committee on Energy and
Commerce



Richard E. Neal
Chairman
House Committee on Ways and
Means



Robert C. "Bobby" Scott
Chairman
House Committee on Education and
Labor