



December 4, 2020

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

Re: Securing Updated and Necessary Statutory Evaluations Timely (SUNSET) Notice of Proposed Rulemaking (NPRM) - RIN 0991-AC24

Secretary Azar:

The District of Columbia Health Benefit Exchange Authority (HBX) appreciates your consideration of our comments. By way of background, HBX is a private-public partnership established by the District of Columbia (District) to develop and operate the District's on-line health insurance marketplace, DC Health Link (DCHealthLink.com). We cover approximately 100,000 people -- District residents and people who work for District small businesses. DC Health Link fosters competition and transparency in the private health insurance market, enabling individuals and small businesses to compare health insurance prices and benefits and to purchase affordable, quality health insurance. Since we have opened for business, we have cut the uninsured rate by 50% and now nearly 97% of District residents have health coverage. For 2021, we offer 163 health plan options to small businesses from Aetna, UnitedHealthcare, CareFirst BlueCross BlueShield, and Kaiser Permanente. On the individual side, we offer 25 health plan options to residents from CareFirst Blue Cross Blue Shield and Kaiser Permanente.

We strongly oppose the NPRM and request it be withdrawn in its entirety. We agree with the concerns raised by many others and specifically with the comment from the Center on Budget and Policy Priorities (CBPP).

The NPRM's proposal to sunset HHS regulations -- unless certain burdensome and resource intensive steps are taken by the government -- is dangerous to the stability of healthcare programs and markets, is bad public policy and is a violation of the Administrative Procedure Act (APA). The proposal would divert limited governmental resources away from critical efforts such as combatting the COVID-19 pandemic. Further, the sheer number of regulations that would be affected by this proposal, coupled with no clear plan for accomplishing the proposed reviews, lays bare that the true intent of the NPRM is to sabotage and destroy duly promulgated regulations without following the proper legal process.

HBX opposes the NPRM and requests that it be withdrawn in its entirety.

Sincerely,

A handwritten signature in black ink, appearing to read "Mila Kofman", with a long horizontal line extending to the right.

Mila Kofman, Executive Director  
DC Health Benefit Exchange Authority



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