

United States Senate

WASHINGTON, DC 20510

May 17, 2016

The Honorable Jack Lew
Secretary
U.S. Department of Treasury
1500 Pennsylvania Avenue, N.W.
Washington, DC 20220

Dear Secretary Lew:

Thank you for your efforts implementing the Affordable Care Act (ACA), including the premium tax credits that help make health insurance affordable for millions of families across the nation. As you continue this important work, we urge you to ensure that all families have equal access to pediatric oral care by providing equal access to the Advance Premium Tax Credits (APTCs) that help families afford dental care for their children, whether they purchase these services as part of a medical plan or in a separate standalone dental plan.

Access to dental services is a critical component of our children's health care needs. In addition to teaching proper oral hygiene, pediatric dental checkups are necessary to monitor the development of tooth growth, which can prevent expensive and painful orthodontic care in the future. Early childhood cavities are the top chronic disease affecting young children, keeping them out of school and placing a burden on parents.

That's why we supported inclusion of pediatric dental coverage as an essential health benefit (EHB) and why Congress went further to add Section 36B (b)(3) to the ACA to allow more than one policy to be used as part of the premium for calculating the APTC. Under this provision the pediatric portion of the premium for a standalone dental plan should be included when the QHP does not include this coverage. However, in the past five years, APTCs have been inequitably distributed, forcing some families to forego essential dental services for their children.


Currently, APTCs are calculated based on the cost of a "benchmark" plan, defined in the statute as the second-lowest cost 70% actuarial value silver plan. However, in one or more regions across 35 states, the benchmark plan used to calculate the APTC does not include coverage for pediatric dental benefits because those benefits are offered through a standalone dental plan. In these regions, families receive a lower APTC that does not account for the cost of pediatric dental benefits, resulting in a smaller APTC and creating a barrier for parents trying to provide comprehensive health care for their children.

We urge you to use your rulemaking authority to clarify that the advance premium tax credit is calculated based upon all essential health benefits, including pediatric dental care, for all families. The ACA took a major step by giving all children access to pediatric dental coverage. We now look forward to working with you to fulfill the ACA's purpose, so that all families can afford to obtain dental services that their children need and deserve.

Sincerely,



Debbie Stabenow



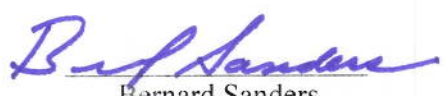
Charles E. Schumer



Robert P. Casey, Jr.



Richard Blumenthal



Bernard Sanders



Sherrod Brown



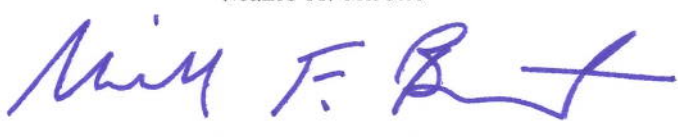
Al Franken



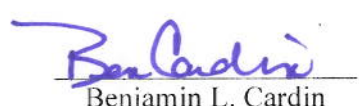
Mazie K. Hirono



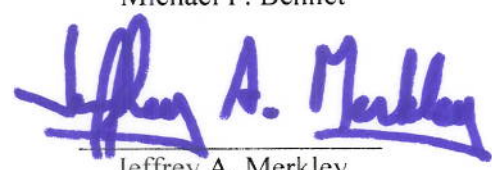
Barbara Boxer



Michael F. Bennet



Benjamin L. Cardin



Jeffrey A. Merkley



Kirsten Gillibrand



Gary C. Peters

Christopher Murphy

Elizabeth Warren

Dianne Feinstein

Martin Heinrich

Mark R. Warner

Tim Kaine