

7500 Security Boulevard  
Baltimore, MD 21244

**Re: CMS-9898-NC, Request for Information; Essential Health Benefits**

Dear Administrator Brooks-LaSure:

On behalf of the 159

services were not part of the benchmark plan selection.<sup>1</sup> Currently, it appears 33 states and the District of Columbia choose between the supplemental options, the Children’s Health Insurance Program (CHIP) or the Federal Employees Dental and Vision Insurance Plan (FEDVIP), which provide comprehensive benefits for children.<sup>2</sup> Benefit packages within these benchmark plans are often not similar. Age limits (e.g., sealants are only covered until age 13) and frequency limits (e.g., only 2 fluoride applications in a year) are often barriers to achieving optimal oral health. Further, the variation of descriptions and plans by states is significant and as noted in the RFI, has not always been meant to be included as a state’s EHB as originally written. The lack of coordination among states’ benchmark plans could use further regulation to alleviate concerns that there is currently too much variation among plans that results in confusion and lack of comprehensive coverage. Though CMS does not believe this to be a consumer harm issue, if states have difficulty making changes to benchmark plans and CMS is not able to easily review and update EHBs periodically, consumers are not best served. **We strongly urge CMS to undertake a study to compare these benchmark plans and assure that benchmark plans cover services to adequately meet the dental needs of the beneficiaries across all states with first dollar coverage for evidence-based preventive services.**

#### **Dental Benefits as Optional**

Pediatric oral health coverage can be offered within a qualified health plan (QHP) or separately, through a stand-alone dental plan (SADP). Pediatric dental EHB is the only EHB that is treated as optional, rather than being required as part of an EHB package. QHPs can sell plans without the pediatric dental EHB as long as there are SADPs on the state exchange that offer the pediatric dental EHB. A consumer can purchase a QHP without dental and is not required to choose a SADP – even if the consumer has a child. The voluntary purchase of the pediatric dental EHB makes it subject to adverse selection and



Sincerely,

George R. Shepley, D.D.S.  
ADA President

Amr M. Moursi, D.D.S., PhD  
AAPD President

GRS:AMM:dl