United States Senate

WASHINGTON, DC 20510

October 23, 2009

The Honorable Harry Reid
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Max Baucus
Chair
U.S. Senate Finance Committee
Washington, DC 20510

The Honorable Tom Harkin
Chair
U.S. Senate Committee on Health, Education,
Labor & Pensions
Washington, DC 20510

The Honorable Christopher Dodd
Chair
U.S. Senate Committee on Banking,
Housing & Urban Affairs
Washington, DC 20510

Dear Majority Leader Reid, Chairman Baucus, Chairman Harkin, and Senator Dodd:

As the Senate continues consideration of health care reform legislation and you work to merge the health care reform bills, we strongly encourage you to adopt provisions which would apply critical insurance market reforms, such as the elimination of gender rating, to *all* fully-insured and self-insured group plans, regardless of their size, and apply these reforms in a timely manner. Failing to adopt these market reforms in the group market will leave some women and men without any protection from harmful insurance industry practices.

We support including critical insurance market reforms, such as the elimination of gender rating and ending discrimination based on pre-existing conditions. Gender rating unfairly charges women higher premiums than men and discrimination based on pre-existing conditions allows insurers to deny coverage to victims of domestic violence or women who have had cesarean sections.

We ask that these market reforms are extended to the entire market – individual and group, without regard to the size of the group. Additionally, we urge that all of these reforms be implemented no later than 2013. If these reforms are not applied to the group market, women working for some employers with majority female workforces, such as child care providers or home health agencies, will never be protected from the harmful insurance industry practices of gender rating. Additionally these reforms should be applied to the individual, moderate, and group markets at the same time. No one should be denied timely protection from this unfair discrimination based solely on the size of their workforce.

Failure to extend these reforms to all groups in a timely manner would be especially harmful for those who are part of a workforce that is majority female. **We urge you to adopt the insurance market reforms to ensure that all groups – without regard to size - are protected from harmful insurance industry practices and without unnecessary delay.**

We look forward to continuing to work with you to advance health care reform legislation that ends harmful insurance industry practices, expands coverage and lowers health care costs for all Americans.

Sincerely,

Barbara A. Mikulski
United States Senator

Sherrod Brown

Jack Reed

Ron Wyden

Mark Begich

Jeffrey A. Merkley

Kirsten E. Gillibrand

Carl Levin

Patrick Leahy

Barbara Boxer

Debbie Stabenow

Al Franken

Frank R. Lautenberg

Dianne Feinstein

Mary Landrieu

Jon Tester

Robert Menendez

Jeanne Shaheen

Mark Begich

Sherrod Brown

Jay Rockefeller

Bob Casey, Jr.

Roland W. Burris

Ben Cardin