

April 27, 2010

The Honorable Sander Levin, Chair
Committee on Ways and Means

The Honorable Henry A. Waxman, Chair
Committee on Energy and Commerce

The Honorable George Miller, Chair
Committee on Education and Labor

The Honorable Pete Stark, Chair
Ways and Means Health Subcommittee

The Honorable Frank Pallone, Jr., Chair
Energy and Commerce Health Subcommittee

The Honorable Bart Stupak, Chair
Energy and Commerce Oversight
Subcommittee

The Honorable John D. Dingell
Chairman Emeritus
Committee on Energy and Commerce

The Honorable Rob Andrews, Chair
Education and Labor Health Subcommittee

Re: Early Implementation of Limitations on the Use of Rescissions

Dear Messrs. Chairs:

Thank you for your letter yesterday requesting that Kaiser Permanente and other health plans and health insurers immediately limit the use of rescissions in the individual market to cases of fraud or intentional misrepresentations of material fact, and to institute a policy of independent, external third party review prior to confirm fraud or material misrepresentation prior to rescinding health coverage.

Kaiser Permanente has not rescinded any health plan coverage since we voluntarily suspended the practice several years ago. We do not anticipate using rescission at all prior to the effective date of the new federal law limitations.

We also believe that the application of an efficient third party review process as a part of any future rescission process is good public policy, protecting the interests of both applicants for coverage and current health plan members. We believe appropriate law or regulation would ensure that a consistent approach is applied to all health plans and health insurers.

Please do not hesitate to have your staff contact me at 510-271-6835 or by email at anthony.barrueta@kp.org with any questions.

Sincerely,



Anthony Barrueta
Senior Vice President, Government Relations

cc: George Halvorson, Chairman and Chief Executive Officer
Laird Burnett, Vice President, Washington, D.C. Office