



September 18, 2023

The Honorable Bernie Sanders  
Chairman  
U.S. Senate Committee on Health, Education, Labor and Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

The Honorable Bill Cassidy  
Ranking Member  
U.S. Senate Committee on Health, Education, Labor and Pensions  
455 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Sanders and Ranking Member Cassidy,

People's Action's [Care Over Cost](#) campaign and the undersigned organizations write to respectfully request the Health, Education, Labor and Pensions (HELP) Committee hold a hearing to investigate the pattern and practice of care denials by private health insurance corporations, and the impact these denials have on people in need of care, including prolonged illness or injury, suffering, and medical debt.

Everyone should have access to the care they need, when they need it. Too often, private insurance corporations refuse to pay for health insurance claims submitted by health care providers in order to increase their profits. These care denials cause medical debt, bankruptcy, worse health outcomes, and in some cases even premature death due to care not received.

People's Action's Care Over Cost campaign is made up of grassroots groups organizing nationwide to address the systemic problem of care denials by private insurance corporations. Everyone is affected by care denials, whether that looks like a prior authorization denial that prevents someone from getting the treatment they need or insurance's refusal to pay for treatment someone has already received via a claim denial. Insurance companies offer a process through which policyholders can appeal denials, but the processes are confusing, opaque, and time consuming. And they are designed and managed by the private insurers themselves, who stand to profit by denying the appeal. The Care Over Cost campaign is organizing people experiencing care denials and helping them file appeals and run public pressure campaigns on

the insurance corporations to overturn the denials, and elevating the peoples' stories in traditional and [digital media](#). Through fighting individual claims, we publicly expose the injustice and build power and expertise as we build towards policy campaigns to reduce claims denials and profiteering and build public support for Medicare for All as we are campaigning.

Available data indicates high denial rates. In 2021, 17% of claims submitted under health insurance plans purchased through the ACA marketplace were denied, with some plans having denial rates as high as 49%.<sup>1</sup> A recent report by the Department of Health and Human Services Office of the Inspector General found that in 2019 Medicaid managed care organizations (“MCOs”) fully or partially denied 1 out of 8 prior authorization requests or 12.5%.<sup>2</sup> Twelve of the 115 MCOs in the study had prior authorization denial rates above 25%. 6% of prior authorization requests for care for people on Medicare Advantage plans were partially or fully denied. While only 11% of these denials were appealed, 82% of those appealed resulted in the full or partially overturning of the denials.<sup>3</sup>

Despite the authority to do so, the federal government does not collect and publish uniform and comprehensive data on insurance claims denials by claim type and demographics across types of insurance plans. We recommend that the Senate HELP Committee invite people to testify about their experiences with private insurance refusing to pay for their care and identify solutions to advance public transparency and accountability in our healthcare system.

Over the past several months, the Care Over Cost campaign helped fight and win claims denial cases throughout the country. The examples below illustrate the problem and severity of claims denials.

- A subsidiary of Elevance Health denied People’s Action/Iowa Citizens for Community Improvement member Bri Moss a new insulin pump, forcing her into a stay in an emergency room. The New York Times included her story in an article on the Inspector General report on privatized Medicaid (Managed Care) claims denials noted above. After Bri’s hospital stay, Care Over Cost helped her appeal and got her a new insulin pump. Elevance Health (the former Anthem BCBS) reported \$8.5 billion in profits in 2022, while buying back \$2.3 billion in shares.<sup>4</sup>

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<sup>1</sup> Karen Pollitz et al. “Claims Denials and Appeals in ACA Marketplace Plans in 2021,” KFF, Feb. 9, 2023, <https://www.kff.org/private-insurance/issue-brief/claims-denials-and-appeals-in-aca-marketplace-plans/>.

<sup>2</sup> Christi A. Grimm, “High Rates of Prior Authorization Denials by Some Plans and Limited State Oversight Raise Concerns About Access to Care in Medicaid Managed Care,” Department of Health and Human Services Office of the Inspector General, July 2023, <https://oig.hhs.gov/oei/reports/OEI-09-19-00350.pdf>.

<sup>3</sup> Jeannie Fuglesten Binek and Nolan Sroczynski, “Over 35 Million Prior Authorization Requests Were Submitted to Medicare Advantage Plans in 2021,” KFF, February 2, 2023, <https://www.kff.org/medicare/issue-brief/over-35-million-prior-authorization-requests-were-submitted-to-medicare-advantage-plans-in-2021/>.

<sup>4</sup> Elevance Health Press Release, “Elevance Health Reports Fourth Quarter and Full Year 2022 Results,” Jan 25, 2023, <https://www.elevancehealth.com/newsroom/elv-quarterly-earnings-q4-2022>.

- United Healthcare denied Carly Morton life-saving surgery that would allow her to eat again. Care Over Cost waged a public campaign and with assistance from Senator Bob Casey, we won Carly's care and she had her surgery in late July 2023.<sup>5</sup> Carly is on a Medicare Advantage (privatized Medicare) plan. UnitedHealth Group reported \$20.1 Billion in profits in 2022 alone.<sup>6</sup>
- After two rounds of cancer treatment, side effects from a mastectomy and breast reconstruction surgery put former State Representative (R-NH) and emergency medical technician [Jenn Coffey](#) in bed for years. United Healthcare refused to pay for her treatments, forcing Jenn to sell her car and fundraise to pay for treatments. Care Over Cost campaigned to win Jenn approval for her first round of treatment, but Jenn is now navigating repeated prior-authorization processes that hinder her care. Care Over Cost and New Hampshire Senators Shaheen and Hassan continue to work with Jenn to help remove these and other obstacles to her life-saving care.<sup>7</sup> United Health Group is the largest provider of Medicare Advantage plans (27.1% market share) and is accused of fraud and overbilling by the federal government.<sup>8</sup>

Thank you for your leadership and consideration of this request. We hope to have the opportunity to support you in conducting a hearing. We would be happy to help you identify people who have been denied claims and can speak to the physical, emotional, and financial hardships suffered at the hands of private health insurance corporations.

Sincerely,

People's Action

**Care Over Cost Campaign Member Organizations**

Center for Health Progress (CO)

Citizen Action of NY

Citizen Action of WI

CT Citizen Action Group (CCAG)

East Side, United Methodist Church (IL)

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<sup>5</sup> Video of Carly Morton, People's Action, March 29, 2023, <https://twitter.com/PplsAction/status/1641136092081422340>.

<sup>6</sup> Bruce Japsen, "UnitedHealth Group Reports \$4.7 Billion Profit As Optum And Health Plans Maintain Momentum," Jan. 13, 2023, <https://www.forbes.com/sites/brucejapsen/2023/01/13/unitedhealth-group-reports-47-billion-profit-as-optum-and-health-plans-maintain-momentum/?sh=1edf29776837>.

<sup>7</sup> Video of Jenn Coffey, People's Action, April 14, 2023, <https://twitter.com/PplsAction/status/1646880876943355904>.

<sup>8</sup> Reed Abelson and Margot Sanger-Katz, "'The Cash Monster Was Insatiable': How Insurers Exploited Medicare for Billions," New York Times, Oct. 8, 2022, <https://www.nytimes.com/2022/10/08/upshot/medicare-advantage-fraud-allegations.html>.

Hoosier Action  
Jane Addams Senior Caucus (IL)  
Maine People's Alliance  
Michigan United  
Missouri Jobs With Justice  
ONE Northside (IL)  
Progressive Maryland  
Public Citizen  
Iowa Citizens for Community Improvement  
Rights & Democracy (VT & NH)  
The People's Lobby (IL)  
Washington Community Action Network  
WV Citizen Action Group (WVCAG)

**Ally Organizations Supporting the Campaign**

1199 SEIU United Healthcare Workers East, Maryland/DC  
American Federation of Government Employees Local 3354 (MO)  
Arkansas Citizens First Congress  
Arkansas Public Policy Panel  
AFT-Washington and Retiree Chapter  
Bread and Roses Missouri  
Business Leaders for Health Care Transformation  
CASA  
Center for Change: Northern Michigan Advocacy  
Center for Health and Democracy  
Center for Popular Democracy  
Citizen Action/Illinois  
Coalition on Human Needs  
Committee of Interns and Residents/SEIU  
Community Catalyst  
Communities United For Action (OH)  
Community Voices Heard (NY)  
Compassionate St. Louis  
Debt Collective  
Detroit Change Initiative  
Detroit Disability Power  
Down Home NC  
Economic Action Maryland  
Equality California  
Firelands Workers Action/Acción de Trabajadores  
Fourth Branch Action  
Frederick County Progressives (MD)

FreeState Justice (MD)  
Fund MI Future  
Ground Game LA  
Health Care Awareness Month  
Healthcare for All MN  
Health Care for All Oregon  
Health Care for All Oregon, Yamhill County Chapter  
Indivisible Georgia Coalition  
Interfaith Center on Corporate Responsibility (ICCR)  
Jobs With Justice  
Labor Campaign for Single Payer  
Labor-Religion Coalition of NYS  
Leisure World Progressives Club (MD)  
Metro New York Health Care for All  
MoveOn Civic Action  
Moms Rising  
Mothering Justice (MI)  
Michigan for Single Payer Healthcare  
National Council of Jewish Women  
National Organization for Women  
NYCD16 Indivisible  
NYPIRG  
New Jersey Citizen Action  
Northwest Health Law Advocates  
OneAmerica  
Oregonizers  
Our Revolution  
Our Revolution Maryland  
Our Wisconsin Revolution  
PA Stands Up  
People Power United  
Physicians for a National Health Program  
Physicians for a National Health Program - Washington State Chapter  
Prevention at work LLC  
Progressive Harford County (MD)  
Progressive Leadership Alliance of Nevada  
People United for Sustainable Housing (PUSH Buffalo)  
Public Justice Center  
Resource Center for Accessible Living  
Right Care Alliance  
Rise Up West Virginia  
San Francisco Rising

Social Security Works  
Sojourners  
Sunrise Movement.  
T1International, USA  
Take Action Minnesota  
Take On Wall Street  
The People's Lobby (IL)  
United Action for Idaho  
United We Dream Network  
Vivian Leal Advocacy  
VOCAL-KY (Voices of Community Activists and Leaders-Kentucky)  
VOCAL-NY  
Voters of Tomorrow  
WV FREE  
Working Families Party