CONSUMER HEALTH ADVOCACY AT THE NAIC

FROM THE NAIC CONSUMER REPRESENTATIVES

To: NAIC
Date: December 8, 2025

On behalf of the undersigned NAIC Consumer Representatives, we offer the attached report examining the impact of federal policy shifts on health insurance access and affordability. The report identifies how state insurance commissioners can mitigate these harms in meaningful ways, protecting consumers' access to affordable, high-quality coverage and access to care.

Federal legislative and regulatory changes are estimated to cause over 10 million people to lose either Medicaid or Marketplace coverage over the next decade; an additional 4 million people are expected to become uninsured because of Congress' failure to extend enhanced premium tax credits (PTC). The report amplifies the need for state regulators to act to protect consumers from anticipated massive coverage loss.

State insurance commissioners, working within their authority and in partnership with state-based Marketplaces and other state officials, can mitigate these harms in meaningful ways, including the following:

1. **State-funded Financial Help**: to provide state-funded financial assistance to defray premiums and/or cost-sharing for Marketplace enrollees.
2. **Basic Health Programs (BHP)**: to improve the affordability and comprehensiveness of coverage for low-income people.
3. **Marketplace Eligibility and Enrollment Processes:** to streamline the consumer experience in state-based marketplaces (SBMs).
4. **Consumer Communications and Engagement**: to engage in data-driven, targeted strategies to identify and reach consumers in the most need of assistance, including fostering stronger connections with diverse communities and educating consumers about the risks of switching to products or arrangements that are either unregulated or do not meet ACA standards.

5. **Plan Management:** to adopt Marketplace plan certification standards to protect consumers and support enrollment by improving affordability and reducing friction in the enrollment process, including active purchasing by SBMs and standardized benefit design.
6. **Insurance Regulation:** to close new federal loopholes that could result in eligible individuals going without coverage and leverage rate review to support silver loading and plan actuarial value standards that ensure robust coverage within the Marketplace.
7. **Market Oversight and Enforcement:** to protect consumers from deceptive or inappropriate marketing tactics, ensuring compliance with state standards, and preserving market stability.

We are eager to discuss our research, findings, and recommendations with regulators and other stakeholders, and work with all parties to ensure they are realized for the benefit of consumers. Thank you for your attention to this important matter.

Sincerely,

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