

January 3, 2024

The Honorable Chiquita Brooks-LaSure Administrator, Centers for Medicare & Medicaid Services U.S. Department of Health and Human Services Attention: CMS–4205–P P.O. Box 8013 7500 Security Boulevard Baltimore, MD 21244

RE: Medicare Program; Contract Year 2025 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-Inclusive Care for the Elderly; Health Information Technology Standards and Implementation Specifications

Dear Administrator Brooks-LaSure:

On behalf of the American Speech-Language-Hearing Association, I write to offer support for proposals within the contract year 2025 policy updates for Medicare Advantage plans.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 228,000 members and affiliates who are audiologists; speech-language pathologists (SLPs); speech, language, and hearing scientists; audiology and speech-language pathology assistants; and students.

Consumer Protection Policies

In the proposed rule, the Centers for Medicare & Medicaid Services (CMS) expands upon its work to ensure access to care for Medicare beneficiaries who have elected coverage through a Medicare Advantage (MA) plan. Specifically, it proposes that MA plans would be required to:

1. Notify enrollees mid-year of the unused supplemental benefits available to them. The notice would list any supplemental benefits not utilized by the beneficiary during the first 6 months of the year (1/1 to 6/30).

Many MA plans offer hearing aid benefits as a supplemental benefit. ASHA supports this proposal to ensure MA plan beneficiaries maintain access to the supplemental benefits they have paid for.

2. Maintain additional guardrails on agent and broker compensation packages to prevent the inappropriate marketing of and enrollment in MA plans that do not meet the beneficiary's needs.

This is an important beneficiary protection that we encourage CMS to adopt.

3. Require the Utilization Management committee to include a member with expertise in health equity.

ASHA supports this proposal to ensure transparency and identify the disproportionate impact of utilization management on enrollees who are low-income, dually eligible, or have a disability.

ASHA Comments Page 2

4. Improve the response time of MA plans responding to enrollee complaints and the transparency of that information.

ASHA supports any effort that improves the timeliness and transparency associated with enrollee complaints as an accountability mechanism for MA plans.

H. Update to the Multi-Language Insert Regulation (§§ 422.2267 and 423.2267)

ASHA firmly believes that better health starts with effective communication. Ineffective communication—whether from communication disorders or language barriers—can lead to poorer health, more chronic conditions, avoidance or delays in seeking care, and increased overall health care costs due to preventable adverse events.ⁱ Therefore, we support the proposed updates to the multi-language insert, particularly:

- a. the availability in the 15 most common non-English languages in the United States as well as any language that is the primary language of at least five percent of the individuals in a plan
- b. the requirement to provide alternate formats for individuals with disabilities who require auxiliary aids and services to ensure effective communication.

Ensuring access to effective communication improves health equity by providing everyone a fair opportunity to attain their highest level of health.

Thank you for proposing Medicare Advantage plan policy changes for the 2025 contract year, which we believe will improve beneficiary experiences. For questions regarding ASHA's support of beneficiary protections, please contact Sarah Warren, MA, ASHA's director for health care policy for Medicare at swarren@asha.org. For questions regarding our comments on the multi-language insert regulations, please contact Rebecca Bowen, MA, CCC-SLP, PNAP, ASHA's director of health care policy for value and innovation, at rbowen@asha.org.

Sincerely,

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Tena L. McNamara, AuD, CCC-A/SLP 2024 ASHA President

ⁱ American Speech-Language-Hearing Association (n.d.). Better Health Starts with Effective Communication. <u>https://www.asha.org/communication-access.</u>