

Congress of the United States
House of Representatives
Washington, DC 20515-4605

January 8, 2020

Chairwoman Anna Eshoo
House Committee on Energy & Commerce
Subcommittee on Health
2125 Rayburn House Office Building
Washington, DC 20515

Ranking Member Michael Burgess
House Committee on Energy & Commerce
Subcommittee on Health
2322 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Eshoo and Ranking Member Burgess,

I write today to thank you for your leadership in recognizing a loophole in our nation's health system that impacts the lives of patients suffering from congenital anomalies and their families. H.R. 1379, the Ensuring Lasting Smiles Act, is a bipartisan bill I introduced with Congressman Collin Peterson (D-MN) to ensure that all health plans cover medically necessary services, including reconstructive surgeries and oral-related procedures, resulting from congenital anomalies or birth defects. I strongly support this bill and urge the committee to support it.

Approximately 4 percent of children born in the United States have congenital anomalies or birth defects that affect the way they look, develop, or function, often with repercussions that affect them for the rest of their lives. Many born with congenital anomalies suffer from severe oral and facial defects such as a cleft lip or palate, skeletal and maxillofacial deformities, hypodontia, and enamel hypoplasia. The patients who do not have their craniofacial and other anomalies treated often face long-term physical and psychological injuries.

Many health plans provide coverage for congenital anomalies, and many states require insurers to provide coverage of any health services related to congenital anomalies or birth defects. Despite this, health plans systematically and routinely deny claims and appeals for any oral or dental related procedures – such as reconstructive surgery for a cleft palate – under the pretense that such service is merely cosmetic or covered under separate dental plans. This is common practice across the country and leaves families with the burden of paying for treatment or procedures that are necessary for their child to function. Additionally, when private insurance denies a patient's reconstructive surgery, families may end up turning to Medicaid, SCHIP, or other state-sponsored programs for coverage, increasing costs for taxpayers.

The Ensuring Lasting Smiles Act will close the loopholes and unintended coverage gaps that health insurers use to bypass state congenital anomaly laws. It will ensure they meet their contractual obligations to approve claims for medically necessary treatments of congenital anomalies and make sure children suffering from birth defects and anomalies get the treatment they need.

Thank you again for your leadership on this important issue, and I urge the committee to support the Ensuring Lasting Smiles Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Riggleman", with a long, sweeping underline.

Denver Riggleman
Member of Congress