



TEXAS HOUSE OF REPRESENTATIVES

RUTH JONES McCLENDON

State Representative, District 120

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December 13, 2013

The Honorable Darrel Issa, Chairman
House Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Elijah E. Cummings, Ranking Member
House Committee on Oversight and Government Reform
2471 Rayburn House Office Building
Washington, D.C. 20515

Attention:

Ms. Leah Perry; leah.perry@mail.house.gov, 202-225-9852

Ms. Linda Good; linda.good@mail.house.gov, 202-225-3974

Dear Chairman Issa and Representative Cummings,

I wish to offer the following comments in regard to the Oversight Committee's public hearing scheduled for Monday, December 16th in Richardson, Texas, and request that this be made part of the official record. In Texas, the navigators need to proceed promptly with Affordable Care Act (ACA) enrollment assistance, because Texas is the state with the worst need for affordable healthcare insurance. Texas ranks last in the nation, having 24.6% or 6.4 million persons with no health insurance. It would be unconscionable to create obstacles in Texas that are politically motivated and clearly intended to intimidate non-profit and charitable groups that seek to perform critical outreach and enrollment functions. The navigators' only mission is to help low income and middle class citizens obtain affordable health care coverage.

I am aware that some navigators for the ACA have come under attack in other states as well as Texas. The attacks have been transparently political in nature, intended to prevent low-income and some middle class citizens from exercising their rights under the law to obtain affordable health insurance. The organizational navigators designated in Texas have been authorized through a grant selection process to assist consumers apply for affordable healthcare insurance in the Marketplace. Those grant applications have been thoroughly screened, and training is currently required for them and the individual navigators. Some of these navigators are charitable and non-profit organizations, such as United Way of Tarrant County and Alamo Area Council of Governments, among others. They have selected individual navigators who are willing and able to assist in the implementation of the ACA.

Clearly, it is important to protect consumers and their personal privacy, and there are mechanisms in place to do that. If any individual navigators give consumers reason for a valid complaint, the organizational navigators can take appropriate action, including



replacing them. Many of the individual navigators have previous experience working at Federally Qualified Health Centers (FQHC's), and are accustomed to working with Medicaid applications. So, they are quite familiar with HIPAA and other privacy requirements that protect personally identifiable information in regard to medical and financial matters. Federal penalties apply for someone serving as a navigator who asks a consumer to pay a fee for assisting them. Other state and federal laws are in place concerning unauthorized use of personally identifying information of another person for an improper purpose. Avenues of complaint currently exist for anyone falsely representing themselves to be a navigator.

Uninsured children and low income workers and middle class working families of Texas are finally within reach of health security, if those of us who care will simply implement the law of the land. As a fellow public servant, I ask that you help Texas families and individuals purchase an affordable health insurance plan that is right for their needs, and not make it any more difficult for them.

Please do not hesitate to contact me if you have questions or wish to discuss this issue.

Respectfully submitted,

A handwritten signature in black ink, reading "Ruth Jones McClendon". The signature is written in a cursive, flowing style.

Ruth Jones McClendon
Texas State Representative, House District 120