



July 22, 2016

The Honorable Sylvia Burwell  
Office of the Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Secretary Burwell:

On behalf of the 124,900 physicians and students who are members of the AAFP, I would like to bring to your attention an inequitable situation that arises from the *Affordable Care Act* (ACA) that needs to be addressed. The American citizens of the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands and the U.S. territories of the U.S. Virgin Islands, Guam and American Samoa do not have the same access to health care coverage that the citizens of the 50 states and the District of Columbia enjoy.

We understand that this situation is the product of how citizens of these areas are largely exempt from federal income taxes and that there are probably an insufficient number of individuals to support a local or regional health insurance exchange. We also understand that, since these jurisdictions do not receive the same Federal Medical Assistance Percentage (FMAP) that states choosing to expand their Medicaid programs receive, Medicaid expansion is untenable for them.

However, when the Administrator of the Centers for Medicare and Medicaid Services (CMS) announced on July 16, 2014, that the definition of “state” in the ACA did not include these jurisdictions, many Americans were left without viable options for health care coverage. The result, which many of our family physicians in these areas see every day, is that hundreds of Americans, many of whom are part of lower income families, have no health insurance.

The promise of the ACA was that providing insurance coverage everyone would have access to health care and probably lower costs overall. While the technicalities of federal tax laws and insurance finances may make it more difficult to provide Americans living in the territorial jurisdictions with this same guarantee, it is still a matter of equity and fairness that must be addressed.

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