



DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

200 Independence Avenue SW  
Washington, DC 20201

November 29, 2012

Mr. Peter Lee  
California Health Benefit Exchange  
1600 Ninth Street, Room 460  
Sacramento, CA 95814

Dear Mr. Lee:

Thank you for your letter regarding the treatment of pediatric vision benefits as a component of the essential health benefits. I appreciate your taking the time to write about this important issue and share your interest in ensuring adequate vision coverage for children.

Section 1302(b)(1) of the Affordable Care Act provides that the essential health benefits include at least ten broad categories of items and services, including pediatric vision care. In the Essential Health Benefits Notice of Proposed Rulemaking (EHB Rule), released on November 20, 2012,<sup>1</sup> HHS proposed that the essential health benefits be defined by reference to a benchmark plan selected by each state. For pediatric vision services we proposed that plans required to cover essential health benefits supplement their benefit package with the vision benefits covered by the FEDVIP vision plan with the largest enrollment. The intended approach would ensure coverage of all the ten categories of services included in the essential health benefits. Generally, if a benchmark plan does not offer benefits in a statutory category, the plan would be supplemented by reference to the benefits in another benchmark plan option.

We are carefully considering comments on the EHB Rule and encourage public input on the proposed regulation.

Again, thank you for your letter. I appreciate your interest in this important issue. Please do not hesitate to contact me if you have any further thoughts or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Cohen", is written over a horizontal line.

Gary Cohen  
Deputy Administrator and Director  
Center for Consumer Information and Insurance Oversight

<sup>1</sup> [http://www.ofr.gov/OFRUpload/OFRData/2012-28362\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2012-28362_PI.pdf)