



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

January 11, 2011

Patricia B. Kricos, PhD
American Academy of Audiology
11730 Plaza American Drive, Suite 300
Reston, VA 20190-4798

Dear Dr. Kricos:

Thank you for your letter requesting that the Department consider the inclusion of hearing and balance care as "essential health benefits." I appreciate insights on this issue.

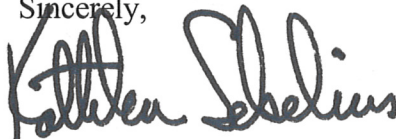
In determining essential health benefits, HHS must follow Section 1302 of the Affordable Care Act, which states that essential health benefits shall include at least ten general categories specified in the law and the items and services covered within these categories. Additionally, the scope of benefits must be equal to that provided under a typical employer-sponsored plan and the determination of the scope of benefits should be informed by a survey conducted by the Department of Labor. The statute also states that benefit packages must be balanced appropriately across service categories and must be constructed in ways that do not discriminate against individuals because of their age or condition.

The Administration and this Department have moved quickly to develop a process for determining essential health benefits. A survey is being conducted by the Department of Labor to inform our determination of a typical employer-sponsored plan. The results are expected in March. We are also seeking advice from the Institute of Medicine on considerations to be taken into account with regard to essential health benefits, both initially and over time. The Institute of Medicine will be holding a public workshop on essential health benefits early in 2011 and its report is due at the end of September.

The information you have provided will help inform our ultimate decision about essential health benefits. However, until I have the results of the Department of Labor survey and the Institute of Medicine recommendations, I am not in a position to make determinations about particular benefits. Please be assured that when I am able to make these decisions, I will give serious consideration to the issue of insurance coverage for hearing and balance care.

Thank you for your letter. I look forward to working with you to implement the Affordable Care Act.

Sincerely,



Kathleen Sebelius