

Burrell, Chet

From: Branch, Katherine Y. [REDACTED]@who.eop.gov>
Sent: Friday, April 04, 2014 10:44 AM
To: Burrell, Chet
Subject: FW: ACA feedback

Hi are you available to talk to Valerie at 2:30p.m. today. Let me know. 2:30p.m. EST.

----- Original Message -----

From: Burrell, Chet [REDACTED]
Sent: Friday, April 04, 2014 10:20 AM
To: Jarrett, Valerie
Subject: ACA feedback

Hi Valerie,

I want to bring to your attention a brewing issue that will negatively impact upcoming ACA premium rates - any chance for a brief conversation? I can be reached on my cell at [REDACTED]

Chet Burrell
Sent from my iPhone

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Thank you..

Burrell, Chet

From: Burrell, Chet
Sent: Saturday, April 05, 2014 9:34 AM
To: Valerie Jarrett [REDACTED]@who.eop.gov
Subject: heads up - follow up to our call yesterday
Attachments: Premium Rate Increase Concern.docx

Valerie,

Here's a short summary of the Issue I described to you yesterday, as you requested. Thank you for understanding that I am only trying to give a "heads-up" notice on an issue that could produce an unwelcome surprise. I am available at any time if you would like to discuss further or need anything else.

Chet

Concern That Recent HHS Rule will cause Sharp Premium Rate Increases

The Affordable Care Act contains certain provisions designed to stabilize premiums during the transition years 2014 - 2016. Roughly speaking, one of these provisions allows carriers to keep up to 3% of the excess of premiums over costs and requires them to pay into the Federal government portions of amounts above that. On the flip side, if premiums fall short of costs by more than 3%, a progressive portion of the shortfall is absorbed by funds paid in by the "winning" carriers and by the Federal government if the funds from "winners" are not enough. This mechanism is referred to as a "Risk Corridor".

Because the Risk Corridor provision reduces the effects of uncertainty that carriers must include in premiums, it enables them to keep premiums lower than they would otherwise be during the 2014 - 2016 transition period. This was exactly the intent of the ACA - to help deal with the fact that it is difficult for carriers to know what the risks are in the population that enrolls through exchanges under the ACA.

Until very recently, the position of the Administration had been that the law requires the Federal government to fully fund the Risk Corridor payments if amounts paid in by the "winners" turn out to be inadequate - as they likely will. Very recently, this position appears to have been reversed under a rule issued by HHS that requires "budget neutrality" - possibly meaning that if the amounts paid in by "winning carriers" turn out to be insufficient to cover the cost of the "losing" carriers, the Federal government would not step in.

If this is indeed the policy, then carriers will have to price premiums as if the Risk Corridor feature is not fully available. While this is a highly technical matter that few understand, the impacts are real and immediate. That is, if this transitional protection is not there, carriers will have to increase rates substantially (i.e., as much as 20% or more beyond what they would otherwise file) to make sure that premiums adequately reflect expected costs - because there would be little protection if they do not.

Here is the urgency: Premium rate filings for January 1, 2015, are due on May 1, 2014, and all carriers are now making rate-filing decisions. There is great concern among carriers about the intent behind the recent change in rule. Uncertainty or confusion will equate to higher rates. This could confront the Administration with a sea of far larger premium increases than expected. Once the filings are made, they will likely quickly become public.

Immediate action to clarify the administration's position is needed to avert this. The most effective action would be assurance that the original HHS interpretation of the ACA (which conforms best to a plain language reading of the ACA) still stands and that carriers could count on federal funding for risk corridors during the transition years (2014-16).

Burrell, Chet

From: Jarrett, Valerie [redacted]@who.eop.gov>
Sent: Saturday, April 05, 2014 9:37 AM
To: Burrell, Chet
Subject: Re: heads up - follow up to our call yesterday

Thanks, Chet. We will review and circle back.
VJ

From: Burrell, Chet [redacted]
Sent: Saturday, April 05, 2014 09:33 AM
To: Jarrett, Valerie
Subject: heads up - follow up to our call yesterday

Valerie,

Here's a short summary of the issue I described to you yesterday, as you requested. Thank you for understanding that I am only trying to give a "heads-up" notice on an issue that could produce an unwelcome surprise. I am available at any time if you would like to discuss further or need anything else.

Chet

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Burrell, Chet

From: Jarrett, Valerie [REDACTED]@who.eop.gov>
Sent: Saturday, April 05, 2014 1:14 PM
To: Burrell, Chet
Subject: RE: heads up - follow up to our call yesterday

Thanks, Chet.

I checked and the policy team is aggressively exploring options. We will be back to you as soon as the work is complete. I really appreciate you bringing this to my attention.

All of the best,
Valerie

-----Original Message-----

From: Burrell, Chet [REDACTED]
Sent: Saturday, April 05, 2014 09:33 AM Eastern Standard Time
To: Jarrett, Valerie
Subject: heads up - follow up to our call yesterday

Valerie,

Here's a short summary of the issue I described to you yesterday, as you requested. Thank you for understanding that I am only trying to give a "heads-up" notice on an issue that could produce an unwelcome surprise. I am available at any time if you would like to discuss further or need anything else.

Chet

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Burrell, Chet

From: Burrell, Chet
Sent: Friday, April 11, 2014 3:54 PM
To: Jarrett, Valerie
Subject: Re: Checking in

Valerie,

This confirms the very policy we were concerned about and that I wrote to you about. I think the WH has to be prepared for large premium rate increases in many parts of the country because a key stabilizer (risk corridors) can now not be counted on.

AHIP and BCBSA are analyzing the impact and will issue their joint assessment soon so I certainly do not speak for the industry. I offer only my own opinion here.

Until last month, all in the industry assumed there would be no budget neutrality given the way ACA is written, so this is seen as a key change very late in the implementation process. It will adversely impact premium rates in 2015, I am sorry to say.

Best,

Chet
Sent from my iPhone

On Apr 11, 2014, at 12:18 PM, "Jarrett, Valerie" [redacted]@who.eop.gov> wrote:

> We just issued a bulletin. Please let me know what you think.

>

> -----Original Message-----

> From: Burrell, Chet [redacted]

> Sent: Friday, April 11, 2014 11:56 AM

> To: Jarrett, Valerie

> Subject: RE: Checking in

>

> Valerie,

>

> I am circling back as you suggested. Is there any word? I appreciate your help.

>

> Chet

>

> -----Original Message-----

> From: Jarrett, Valerie [mailto:[redacted]@who.eop.gov]

> Sent: Tuesday, April 08, 2014 12:39 PM

> To: Burrell, Chet

> Subject: RE: Checking in

>

> We estimate late Thursday or early Friday. Please feel free to circle back then.

>

> -----Original Message-----

Burrell, Chet

From: Burrell, Chet
Sent: Monday, April 14, 2014 5:54 PM
To: Jarrett, Valerie
Subject: Re: Checking in

May we talk briefly so I can describe it to you? I am available whenever it is good for you. [REDACTED]

Sent from my iPhone

On Apr 14, 2014, at 5:43 PM, "Jarrett, Valerie" <[REDACTED]@who.eop.gov> wrote:

How did your conversation with Julian and Jeanne go?

-----Original Message-----

From: Burrell, Chet [REDACTED]
Sent: Sunday, April 13, 2014 06:55 AM Eastern Standard Time
To: Jarrett, Valerie
Subject: Re: Checking in

Thanks so much, Valerie. I have received an email from Jeanne and will follow up with her today. Will keep you in the loop. Chet

From: <Jarrett>, Valerie Jarrett [REDACTED]@who.eop.gov>
Date: Saturday, April 12, 2014 4:08 PM
To: Chet Burrell [REDACTED]
Subject: RE: Checking in

Jeanne really thought this would help. We will regroup next week.

-----Original Message-----

From: Burrell, Chet [REDACTED]
Sent: Friday, April 11, 2014 03:55 PM Eastern Standard Time
To: Jarrett, Valerie
Subject: Re: Checking in

Valerie,

This confirms the very policy we were concerned about and that I wrote to you about. I think the WH has to be prepared for large premium rate increases in many parts of the country because a key stabilizer (risk corridors) can now not be counted on.

From: Burrell, Chet
Sent: Tuesday, April 15, 2014 9:33 PM
To: Jarrett, Valerie
Subject: Re: Checking in

Thanks, Valerie for all your efforts and follow through. I am appreciative of the discussion I had with Jeanne, Al and Julian and all you did to arrange it. My view remains the same - substantial rate increases are coming but it seems it can't be helped. This will not be uniformly true around the country. I brought it to your attention in case something could be done. I am always here if you ever need a sounding board. Thanks again.

Best,

Chet

Sent from my iPhone

On Apr 15, 2014, at 9:08 PM, "Jarrett, Valerie" [REDACTED]@who.eop.gov> wrote:

Hi Chet-

After speaking at length today with Jeanne and our other policy folks, I do not think I have any more to add. They seem to have given you 80 percent of what you requested and I am not in a position to second guess there analysis.

Sincerely,
Valerie

From: Burrell, Chet [REDACTED]
Sent: Tuesday, April 15, 2014 05:45 PM
To: Jarrett, Valerie
Subject: Fwd: Checking in

Valerie,

Not sure if you would still like to talk, but if you do, I am available through the evening on my cell....

Chet

Sent from my iPhone

Begin forwarded message:

From: "Burrell, Chet" [REDACTED]
Date: April 15, 2014, 8:44:00 AM EDT
To: "Jarrett, Valerie" [REDACTED]@who.eop.gov>
Subject: Re: Checking in

Valerie - I understand. Any time after 10 am. I will step out of any meeting I am in. Cell is best [REDACTED]

Sent from my iPhone

On Apr 15, 2014, at 8:35 AM, "Jarrett, Valerie" [REDACTED]@who.eop.gov> wrote:

Sorry Chet. I finished up much too late to call. Are you free today?

From: Burrell, Chet [REDACTED]
Sent: Monday, April 14, 2014 06:02 PM
To: Jarrett, Valerie
Subject: Re: Checking in

Ok - I'll watch for your call

Sent from my iPhone

On Apr 14, 2014, at 5:57 PM, "Jarrett, Valerie" [REDACTED]@who.eop.gov> wrote:

In a meeting for a while. Will try later this evening.

-----Original Message-----

From: Burrell, Chet [REDACTED]
Sent: Monday, April 14, 2014 05:53 PM Eastern Standard Time
To: Jarrett, Valerie
Subject: Re: Checking in

May we talk briefly so I can describe it to you? I am available whenever it is good for you. [REDACTED]
[REDACTED]

Sent from my iPhone

On Apr 14, 2014, at 5:43 PM, "Jarrett, Valerie" [REDACTED]@who.eop.gov> wrote:

How did your conversation with Julian and Jeanne go?

-----Original Message-----

From: Burrell, Chet [REDACTED]
Sent: Sunday, April 13, 2014 06:55 AM Eastern Standard Time
To: Jarrett, Valerie
Subject: Re: Checking in

Burrell, Chet

From: Lambrew, Jeanne [REDACTED]@who.eop.gov>
Sent: Saturday, April 12, 2014 6:06 PM
To: Burrell, Chet
Cc: Harris, Julian; Bingham, Al A. (CMS/CCIO) [REDACTED]@cms.hhs.gov)
Subject: Follow up

Hi Chet,

I hope you are well and sorry to bother you on the weekend. Valerie asked that we reach out to you to address your concerns and questions about the risk corridor bulletin. I have cc'd two people more expert than myself: Julian from OMB who can explain the budget rules and Al, the CCCIO chief actuary who can discuss how this can be helpful in planning for 2015 rates.

We are happy to find a time to talk on Monday if you are interested? If you would like to talk to one or all of us sooner as well, let us know.

Thanks, Jeanne

From: Jennings, Christopher [REDACTED]@who.eop.gov>
Sent: Saturday, October 05, 2013 8:46 PM
To: Geraghty, Patrick
Subject: RE: Thanks

Thanks my friend.

From: Geraghty, Patrick [mailto: [REDACTED]@who.eop.gov] REDACTED
Sent: Saturday, October 05, 2013 4:24 PM
To: Jennings, Christopher
Subject: RE: Thanks

Ready if needed-

Pat

Sent with Good (www.good.com)

-----Original Message-----

From: Jennings, Christopher [REDACTED]@who.eop.gov]
Sent: Saturday, October 05, 2013 04:22 PM Eastern Standard Time
To: Geraghty, Patrick
Subject: Thanks

Thanks again Pat. This is the reporter you talked with yesterday -- Dan Mangan. The messaging about no one could have precise numbers now and comforting message about roll out along the lines we discussed would be great. Not sure how to operationalize your offer to be helpful here, but I have handed that over to Tara MacGuinness of WH Comms to decide what may be best. I just wanted you to be on heads up if we needed you. Thanks as always.

Stew @StewSays34s

#JustAGlitch // @CNBC: 99% of #Obamacare applications hit a wall .cnb.cx/1bJ6YP9

<http://www.cnbc.com/id/101087965>

99% of Obamacare applications hit a wall

Text Size_

Published: Friday, 4 Oct 2013 | 5:08 PM ET

It's a batting average that won't land the federal marketplace for Obamacare into the Healthcare Hall of Fame.

From: Geraghty, Patrick
Sent: Friday, October 11, 2013 5:22 PM
To: 'McGuinness, Tara'
Subject: RE: assistance - CBS news

Tara,

Nice to connect.

Left you a Voice Mail. I would like to discuss this request. Available at REDACTED

Pat

From: McGuinness, Tara [REDACTED]@who.eop.gov]
Sent: Friday, October 11, 2013 12:50 PM
To: Geraghty, Patrick
Cc: Jennings, Christopher
Subject: assistance - CBS news

Patrick—

I hope you are well. I work on the White House communications team.

I would love to connect you with CBS to affirm that you are making progress and seeing energy and enrollment in FL. They are doing a piece tonight and looking to get someone on camera.

If you are comfortable, I would love to give them info on how to connect with you. There are some rumors undermining that the system is working.

CBS is obsessed with numbers, but I would suggest you don't get into that.

My number is [REDACTED] Happy to connect.

--Tara

From: McGuinness, Tara [REDACTED]@who.eop.gov>
Sent: Friday, October 11, 2013 11:00 PM
To: Geraghty, Patrick; Jennings, Christopher
Subject: RE: CBS

You were great!
I watched. Thanks for the help.

--Tara

-----Original Message-----

From: Geraghty, Patrick [mailto: [REDACTED]
Sent: Friday, October 11, 2013 6:59 PM
To: Jennings, Christopher; McGuinness, Tara
Subject: CBS

Came out OK... At least mitigated the story.

Pat

Sent with Good (www.good.com)

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From: FN-WHO-Business <[REDACTED]@who.eop.gov>
Sent: Wednesday, October 23, 2013 2:04 PM
To: O'Steen, Frances
Subject: Confirming ACA Meeting Participation

Hi there –

I want to make certain that Mr. Geraghty received the following email about the meeting taking place today here at the White House. Please confirm receipt and let me know if you have any questions.

Thanks so much.



Hello –

Thank you for confirming your participation in the meeting with Ms. Valerie Jarrett and White House Chief of Staff Denis McDonough on Wednesday, October 23rd from 2:00PM – 3:00PM at the White House.

This is your confirmation that we have received your RSVP and security information. Please arrive on Wednesday, October 23rd no later than **1:45PM** and enter from the Northwest Appointment gate at **Pennsylvania Ave. and West Executive Ave.** (WH Area Map Attached). Once through the gate, please proceed down the sidewalk to the West Wing reception area, the meeting will be held in the **Roosevelt Room.**

Please bring a government issued photo ID and try to limit your personal belongings to avoid long lines at the entrance. If you are a foreign national, please bring your passport as your form of ID. Photocopies or other transmissions of these listed documents will NOT be accepted.

The following attendees are confirmed:

- Mark Bertolini, President & CEO, Aetna
- Bruce Broussard, CEO, Humana
- Patrick Geraghty, CEO, Blue Cross Blue Shield of Florida
- Patricia Hemingway Hall, President & CEO, Health Care Services Corporation
- Karen Ignagni, President & CEO, America's Health Insurance Plans
- Michael Neidorff, Chairman & CEO, Centene Corp.
- Scott Serota, President & CEO, Blue Cross Blue Shield Association

- Joseph Swedish, CEO, Wellpoint
- Bernard Tyson, President & CEO, Kaiser Permanente
- John Molina, CFO, Molina Healthcare
- James Roosevelt, Jr., President & CEO, Tufts Health
- Chet Burrell, CEO, CareFirst
- Jay M. Gellert, President & CEO, Health Net, Inc.

Please don't hesitate to reach out if you have any questions.

Sincerely,

The White House Business Council
Office of Public Engagement
The White House
(202)456-2973

From: Jennings, Christopher [REDACTED]@who.eop.gov>
Sent: Friday, October 25, 2013 7:54 PM
To: Geraghty, Patrick
Subject: Thank You and Follow Up

Pat: I wanted to reach out and thank you for coming to Wednesday's meeting in the Roosevelt Room at the White House. All of the Administration's representatives present felt it was an engaging and constructive discussion about the best ways to secure plan pathways in and out of the Federal Marketplace to improve enrollment. The discussions about direct enrollment and 834 forms as well as the advice about the best approaches to prioritize program improvements and to communicate around them was particularly helpful.

I want to assure you I am following up in close coordination with Marilyn Tavenner and Jeff Zients at CMS. Likewise, we all will continue our close working and productive relationship with Karen Ignagni and Scott Serota. They represent you incredibly well. Should you have any other specific information or suggestions you would like to share with me directly, please do not hesitate to reach out. I know we will continue our ongoing dialogue in the coming days and weeks. Again, thanks for altering your busy schedule to participate in the meeting. We look forward to continuing the collaboration.

All the best,
Chris

From: Jennings, Christopher [REDACTED]@who.eop.gov>
Sent: Saturday, October 26, 2013 6:53 PM
To: Geraghty, Patrick
Subject: RE: Follow-up

Great news. Thanks Pat. I just have one thing to go over – which is an agreed upon conversation about conversion products. In general, my instinct is for you to say that difficult to do apples/oranges comparisons, but there is no doubt that all of these folks will benefit over time because products will be in a far more stable pool with added consumer protections. Moreover, the vast majority of these policies will cost no more and, in many cases, less than current policies because of tax credit premium offset. Sound about right.

Chris

From: Geraghty, Patrick [mailto:REDACTED]
Sent: Saturday, October 26, 2013 2:43 PM
To: Jennings, Christopher
Subject: RE: Follow-up

I am in London and doing the program remote tomorrow. Feel free to call after 3:00 your time but before 7:00 if possible (5 hour time differen

I have connected with Tara and I think I am ready.

Pat

Sent with Good (www.good.com)

-----Original Message-----

From: Jennings, Christopher [REDACTED]@who.eop.gov]
Sent: Saturday, October 26, 2013 11:33 AM Eastern Standard Time
To: Geraghty, Patrick
Subject: Follow-up

Pat: Tara McGuinness will probably reach out to you directly today to give you latest info and suggestions for press prep. Please advise if you need anything from me. I may call you later to make sure all is ok. Thanks so much for all.

Chris

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From: Geraghty, Patrick
Sent: Saturday, October 26, 2013 3:45 PM
To: 'McGuinness, Tara'
Subject: RE: Press appearance

Missed you when I just called headed to the US Embassy in London in 15 minutes- you can catch me now or in 2 hours

Pat

Sent with Good (www.good.com)

-----Original Message-----

From: McGuinness, Tara [REDACTED]@who.eop.gov]
Sent: Saturday, October 26, 2013 11:37 AM Eastern Standard Time
To: Geraghty, Patrick
Subject: Press appearance

Pat,

Hope you are well. I wanted to touch base and see what you might need ahead of your sunday appearance. That is great you are doing it.

I wanted to share some of the points from the Zients review (see below).

We have lots of materials or I am happy to touch base via phone [REDACTED].

Let me know what you need.

-tara

From: Beirne Fallon, Katie
Sent: Friday, October 25, 2013 12:42 PM
To: Beirne Fallon, Katie
Subject: CONCLUSIONS OF THE ZIENTS' REVIEW OF HEALTHCARE.GOV

CONCLUSIONS OF THE ZIENTS' REVIEW OF HEALTHCARE.GOV

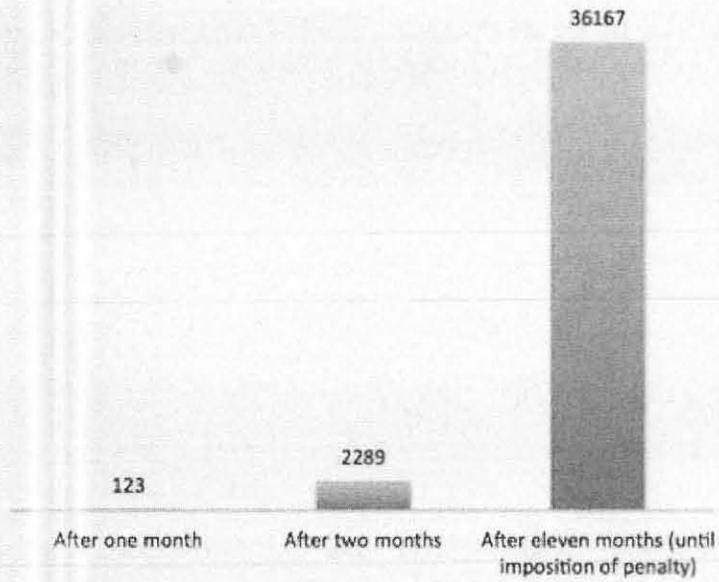
Today, after a fullscale review of the problems with the Affordable Care Act enrollment website, Jeff Zients presented an assessment and plan for fixing the problems.

- Over the last week, at the President's request, Jeff Zients worked with a team of expert engineers and technology managers from leading technology companies around the country to conduct an assessment of the overall state of the HealthCare.gov site. Today, they made the following conclusions:

- The website is fixable. It will take a lot of work, and there are a lot of problems that need to be addressed. But it is fixable.
 - The problems the team has identified fall into two broad categories:
 1. Performance problems: These are the problems that many consumers have been frustrated with, like site speed, response time and reliability.
 2. Functional problems: These are the bugs that prevent the software from working the way it is supposed to.
 - In order to work through the punch list of fixes as quickly and efficiently as possible, the team has made management changes. There is now a general contractor who is overseeing the other contractors and managing the effort. In the tech world, this would be called a new systems integrator. This general contractor will work around the clock with all the key decision makers and players, including CMS leadership and staff, vendors and contractors.
 - The team expects meaningful improvements in the site's performance every week as a result of these changes. The team's assessment is that by the end of November, HealthCare.gov will work smoothly for the vast majority of users.
- Assessing Problems and Progress:
 - Logging In/Creating Accounts: We know all too well that in the first days there were very few people who could even log in to create an account, now that number is at 90 percent.
 - Completing Applications: At points over the last few weeks, the success rate for those completing applications was very low with as few as three out of ten customers were getting through the application process. Addressing this particular problem of applications is a high priority. It is worth noting that even with these unacceptably low success rates, nearly 700,000 people have filled out applications nationwide, on the federal and state exchanges. (Over half are from the federal Marketplace.)
 - The site has improved, but still needs a lot of work. Each week, we believe it will get better as a result of these new management changes. The team's assessment is that by the end of November, HealthCare.gov will work smoothly for the vast majority of users.
 - Enrollment Expectations:
 - Obviously, the website problems will affect the enrollment numbers for October. Presumably some number of people wanted to enroll who were unable to do it.
 - But our expectation was always that the number of enrollees would be low on the front end, and higher as we approach the end of the six month enrollment period.
 - The experience in Massachusetts was that only 123 people - .3% of the eventual enrollment - signed up in the first month and over 20% enrolled in the last month. Most people buy closer to the deadline. (See Massachusetts enrollment chart below.)
 - And as improvements to the website continue to be made, the administration is encouraging consumers to access one of the four different options for signing up for coverage, including the website, Call Centers, in-person assistants and applications that can be mailed in.

Early Enrollment – It's Supposed to be Slow

■ Number of premium-paying enrollees in Massachusetts Commonwealth Care plans, February through December 2007



Source: Commonwealth Health Insurance Connector Authority, via MIT Professor Jonathan Gruber

From: Jennings, Christopher [REDACTED]@who.eop.gov>
Sent: Monday, October 28, 2013 2:03 PM
To: Geraghty, Patrick
Subject: THANK YOU!

Pat: You were extraordinary. You were harassed and you more than gave back what was thrown at you. We were all impressed. Thank you so much! Would like to talk soon; safe travels.