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# Sebelius defends move on insurer mailings

By [Matthew DoBias](#)

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HHS Secretary Kathleen Sebelius, in a written and pointed rebuttal, disputed [GOP claims that the government overstepped its authority](#) when it told certain insurance companies to stop sending letters that addressed issues related to health reform legislation.

In a letter sent to Senate Minority Leader Mitch McConnell (R-Ky.), Sebelius reiterated her stance that the politically minded letters sent by insurance giant Humana, Louisville, Ky., could have violated federal laws that ban the use of federal dollars that funnel toward lobbying efforts.

Sebelius added that the mailings "have the potential to be confusing and misleading." She said that at least one health plan had used the tag line: "Important information about your Medicare Advantage plan—open today!" But the information, instead, discussed the pending health reform legislation.

In September, Humana sent letters to its members that said their benefits could be revoked under legislation making its way through Congress. Senate Finance Committee Chairman Max Baucus (D-Mont.), who has authored legislation that would cut federal subsidies to Medicare Advantage plans, called on the CMS to open an investigation into the practice. But Republican leaders balked. McConnell said that such a move threatened Humana's First Amendment rights, adding that he and others would block HHS appointees in the Senate until the agency backed off of its threat.

Sebelius said that the CMS would continue its investigation "to ensure that any compliance and enforcement actions are appropriately and consistently applied." Additionally, she said that the CMS would issue a summary guidance on the topic.

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HHS Secretary  
Kathleen Sebelius

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