



September 19, 2024

The Honorable Rob Shriver
Director
Office of Personnel Management
19000 E St NW
Washington D.C. 20415

Dear Director Shriver,

We are writing to you about an important consumer issue that requires your attention and immediate action. Our coalition is made up of consumer advocates and individuals that have been directly impacted by the actions of Blue Cross Blue Shield (BCBS) who have decided to deny legitimate medical claims from members of the Customs and Border Protection and Immigration and Customs Enforcement (ICE) agencies for equipment needed to execute on their mission safely.

It has come to our attention that federal employees across a wide range of agencies and occupations are encountering issues of insurance delays and denials following the purchase of legitimate, medically necessary preventative equipment. Under Blue Cross Blue Shield's federal insurance information, medical necessity is defined as "healthcare services that physician, hospital, or other covered professional or facility provider, exercising prudent clinical judgment, would provide to a patient for the purpose of preventing, evaluating, diagnosing, or treating an illness, injury, disease, or symptom.^[1]"

Despite the inclusion of preventive equipment in the clearly defined definition of medical necessity, Blue Cross Blue Shield has been unduly denying federal agents, specifically CBP and ICE agents, access to protective hearing equipment that can prevent permanent and irreversible hearing loss that would result in future claims for hearing aids on a regular basis for the remainder of the patient's life. We have received numerous reports of CBP and ICE officers (many of whom have signed this letter) receiving denials for equipment that was previously accepted without issue.

Multiple federal employees have cited instances where they were able to receive molds for hearing protection from BCBS, only to later deny their claim. This indicates a concerning pattern of the insurance company reversing its opinion and promised action,



not only creating legitimate medical concerns for officers, but also adding confusion and uncertainty to their roles.

Many of these same agents cite existing hearing loss sustained in the line of duty and have expressed concerns that continuing without this preventative equipment could result in further permanent hearing loss. Officers are routinely asked to engage in activities that involve routine exposure to loud noises, such as helicopters and ATV patrols. Additionally, several officers have been subject to unexpected loud explosions and weapon fire, as well as extremely loud environments in commercial vehicle settings, all of which pose a serious risk of long-term hearing damage.

Not only does denying federal agents access to medically necessary equipment compromise the safety of federal employees, but it also increases the risk of permanent injury, resulting in additional long-term costs for the individual and federal government overall. On principle, insurance companies cannot be allowed to pick and choose when they honor their policies. Allowing them to ignore, dispute, and deny legitimate claims is a dangerous precedent that the Office of Personnel Management has a statutory duty to address.

It is the responsibility of the Office of Personnel Management to “elevate and honor service to America by leading Federal agencies and the workforce in people management policies and programs.”

We trust that the Office for Personnel Management will take the necessary steps to ensure federal employees receive the equipment that they need to fulfill their mission.

Sincerely yours,

Elizabeth Hicks
Consumer Choice Center

David Neuss, Let.
Physical Security

Aldo Aviles
Customs and Border Protection

Robert Nieto



CC:

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[1] [Blue Cross and Blue Shield Service Benefit Plan brochure \(opm.gov\)](#)