ELSA
COALITION
ENSURING LASTING SMILES ACT

S. 1677/H.R. 3277, the Ensuring Lasting Smiles Act (ELSA)

Please become a cosponsor of the bipartisan *Ensuring Lasting Smiles Act (ELSA)*, led in the Senate by Senators Tammy Baldwin (D-WI) and Joni Ernst (R-IA) and in the House by Representatives Neal Dunn (R-FL-2) and Kim Schrier (D-WA-8).

Approximately 1 in every 33 babies born in the United States each year has a congenital anomaly, commonly referred to as a birth defect. Children born with congenital anomalies that affect the eyes, ears, teeth, mouth, or jaw are routinely denied coverage of medically necessary services by private insurers, leading to secondary health issues and leaving families without access to care.

Congenital craniofacial conditions may appear cosmetic, but they often impede daily functioning and may restrict a patient's ability to breathe, eat and speak. Corrective procedures allow these patients to grow and function normally.

Health insurers wrongfully categorize treatments for these body parts as cosmetic (not medically necessary) or as a non-covered service, even though those insurers claim to provide coverage for the treatment of congenital anomalies. Rarely are medically necessary treatments denied for children with other congenital anomalies such as a congenital heart condition or musculoskeletal issues.

The *Ensuring Lasting Smiles Act (ELSA*) is bicameral, bipartisan legislation that would clarify health coverage for children born with congenital anomalies and birth defects (e.g., cleft lip and cleft palate, missing dental structures) that affect their oral and overall health and well-being and require dental/oral restorative care. In particular, ELSA would clarify that the standard of care for individuals born with such abnormalities is to provide coverage for medically necessary dental surgery and treatment.

The *Ensuring Lasting Smiles Act* would address health insurance coverage denials and delays and ensure that children suffering from congenital craniofacial anomalies or birth defects get the treatment they need and deserve.

Specifically, the legislation would:

Ensure that all group and individual health plans cover outpatient and inpatient items and services related to the diagnosis and treatment of a congenital anomaly or birth defect that primarily impacts the appearance or function of the eyes, ears, teeth, mouth, or jaw;

Stipulate that such coverage include services and procedures that improve, repair, or restore function due to a congenital anomaly or birth defect, including treatment to any missing or abnormal body part that the treating physician determines is medically necessary. The bill makes clear that this includes adjunctive dental, orthodontic, or prosthodontic support; and excludes cosmetic procedures or surgery.

This common-sense bill would close these loopholes and ensure families receive the coverages they pay for and deserve for the duration of their treatment plan.

Passing ELSA would ensure that children born with congenital anomalies have access to the highest clinical standard of care and qualified providers, enabling them to see, hear, chew, swallow and speak - basic rights we take for granted and all deserve. Allowing children to access treatments in a timely manner avoids the long-term physiological and psychosocial injuries associated with delays in care.

In the 117th Congress, ELSA gained bicameral, bipartisan support from 62 Senate cosponsors and passed the House of Representatives with a 310-110 vote.

An expedited score from CBO has been requested for the 119th Congress. Clarification of the scope of the bill should address areas of uncertainty previously raised by CBO.

Contact (Senate) Sen. Baldwin's or Sen. Ernst's office or (House) Rep. Schrier's or Rep. Dunn's office for more information.