



March 20, 2008

The Honorable John Dingell, *Chair*
House Committee on Energy & Commerce
2328 Rayburn House Office Building
Washington, DC 20515

The Honorable Joe Barton, *Ranking Member*
House Committee on Energy & Commerce
2109 Rayburn House Office Building
Washington, DC 20515

RE: H.R. 5613, "Protecting the Medicaid Safety Net Act of 2008"

Dear Congressmen Dingell and Barton,

I write on behalf of the American Association of People with Disabilities (AAPD) to express our support of H.R. 5613, the "Protecting the Medicaid Safety Net Act of 2008," which would delay seven regulations from the Centers for Medicare and Medicaid Services (CMS) from taking effect until April 2009. AAPD is the largest national nonprofit cross-disability member organization in the United States, dedicated to ensuring political empowerment and economic self-sufficiency for the more than 50 million Americans with disabilities.

AAPD is seriously concerned about these CMS regulations, which include limits to CMS payments for targeted case management, rehabilitation services, and school-based services for students with disabilities. We believe these regulations will jeopardize the health and safety of Medicaid beneficiaries with disabilities and limit states' ability to provide access to needed medical, social, educational, and community-based services for people with disabilities in the most effective and efficient means.

One of the CMS rules regarding payment for transitioning individuals from institutions to community-based living has cut the payment window from 180 to 60 days, which we know from advocates with experience in transitioning people with disabilities into integrated community settings is simply too short a period of time. Individuals must obtain appropriate identification papers, apply for integrated, accessible, affordable housing, apply for food stamps and paratransit, and find necessary durable medical equipment to which they oftentimes did not have access while in institutional care. The new rules also require that reimbursements only be made upon completed transition. AAPD is concerned that withholding reimbursements until after transitions are completed will have the unintended consequence of financially discouraging smaller organizations with less capital from pursuing the goals of the Money Follows the Person Demonstration, as they may be unable to finance up front the staff time necessary to transition individuals into the community.

AAPD strongly supports H.R. 5613, which would freeze these rules to prevent their harm to the access of Medicaid beneficiaries with disabilities to crucial services.

Respectfully,

A handwritten signature in black ink that reads 'Andrew J. Imparato'. The signature is written in a cursive style with a large initial 'A'.

Andrew J. Imparato
President and CEO