

March 20, 2008

To the Members of the House Energy & Commerce Committee:

The National Health Law Program (NHeLP) urges your strong support of H.R. 5613, introduced by Chairman Dingell and Representative Murphy, to implement immediate moratoria on seven Medicaid regulations recently proposed or finalized by the Centers for Medicare & Medicaid Services (CMS). For over thirty-eight years, NHeLP has advocated for the provision and improvement of health care for America's working and unemployed poor, women and children, minorities, the elderly and people with disabilities, and implementation of the regulations that H.R. 5613 will delay would have a substantial negative impact on the health care that those groups receive.

These regulations range from ill-advised – cutting up to \$50 billion in federal Medicaid funds to the states during an economic downturn – to illegal, extending far beyond the Congressional authority provided in the Deficit Reduction Act. The regulations would greatly constrict a broad swath of the Medicaid program, including targeted case management services, rehabilitation services, hospital out-patient services and school-based transportation and outreach services; payments to governmental providers; and provider taxes.

Further, both the direct and indirect impact of Medicaid on a state's citizens and its economy highlights the need for Congress to act now to preserve the Medicaid program and delay implementation of these regulations. In addition to the health care benefits provided, the influx of Medicaid dollars into communities helps create jobs, support healthcare providers, and strengthen local economies. Because Medicaid is a counter cyclical program, its importance is even greater during an economic downturn CMS should not be denying states' funds at the very moment they need increased support.

Thank you for considering our concerns in this matter. We hope that you will work with us to enact H.R. 5613 and support Medicaid at a time when it is doing exactly what it was designed to do – respond to an increased need for service in difficult times. Please feel free to contact Steve Hitov at 202-289-7661 if you would like to discuss this or any other issue about which we may be of assistance.

Sincerely,

Emily Spitzer  
Executive Director

cc: Chairman John Dingell  
Representative Timothy Murphy

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