

November 21, 2018

The Honorable Alex Azar, Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Azar,

The undersigned organizations write to express our grave concerns with the loss of coverage resulting from Arkansas' Section 1115 Medicaid waiver. As you know, between September and November the state terminated Medicaid eligibility for 12,277 individuals who didn't comply with the new requirement to report work. Thousands of additional Medicaid beneficiaries could lose coverage in upcoming months.

In January, CMS Administrator Verma issued guidance identifying two overarching goals as part of the justification for imposing work requirements on Medicaid beneficiaries: "promoting better mental, physical, and emotional health," and "helping individuals and families rise out of poverty and attain independence." There is no evidence that the Arkansas waiver is achieving these goals, but there is indisputable evidence that the Arkansas waiver has caused over 12,000 low-income Arkansans to lose coverage and will, unless suspended, cause thousands more to be harmed, worsening their health. We urge you to act immediately to prevent additional harm.

Many of the 12,277 Arkansans who lost coverage likely were not aware of the new work requirements and possibly are already working or could have qualified for an exemption. The state's own data show that less than one percent of individuals affected are newly reporting work or work-related activities. Moreover, with no approved evaluation plan in place, nothing is being done to monitor and assess the impact of these new policies on people losing coverage and others subject to the work requirement.

We urge you to suspend the Arkansas waiver. It is especially problematic that Arkansas is proceeding with its demonstration when there is no evaluation in place. At an absolute minimum, an independent evaluator should be in place and monitoring implementation of the waiver to provide real-time information to you and state officials. An evaluation should determine whether terminations of coverage resulted from red tape and administrative burdens, whether those terminated have been able to find comparable coverage, and whether coverage losses can be mitigated going forward.

We further urge you to suspend the work requirements/community engagement waivers you have approved in Indiana, Wisconsin and New Hampshire, and to refrain from approving any similar Section 1115 Medicaid waiver proposals, including Kentucky, until the lessons from Arkansas are understood and actions are taken to minimize the harm to beneficiaries.

Yours truly,

Adult Congenital Heart Association
AIDS United

American Academy of HIV Medicine
American Academy of Pediatrics
American Association on Health and Disability
American College of Obstetricians and Gynecologists
American Diabetes Association
American Heart Association
American Lung Association
AR Chapter American Academy of Pediatrics
Arkansas Society of Addiction Medicine
Asian & Pacific Islander American Health Forum
Association of University Centers on Disabilities
Autistic Self Advocacy Network
Center for Law and Social Policy
Center for Public Representation
Center on Budget and Policy Priorities
Children's Defense Fund
Children's Dental Health Project
Community Catalyst
Corporation for Supportive Housing (CSH)
Cystic Fibrosis Foundation
Epilepsy Foundation
Families USA
Family Voices
First Focus
Georgetown University Center for Children and Families
Global Healthy Living Foundation
Guttmacher Institute
Hemophilia Federation of America
HIV Medicine Association
Indiana Society of Addiction Medicine
Kentucky Chapter, American Academy of Pediatrics
Kentucky Society of Addiction Medicine
Lakeshore Foundation
Legal Action Center
March of Dimes
Mental Health America of California
Mental Health America
National Alliance on Mental Illness
National Association of Pediatric Nurse Practitioners
National Center for Law and Economic Justice
National Council for Behavioral Health
National Employment Law Project
National Health Care for the Homeless Council
National Hemophilia Foundation
National Multiple Sclerosis Society
National Partnership for Women & Families
National Patient Advocate Foundation
National Psoriasis Foundation

NMAC

Raising Women's Voices for the Health Care We Need

The Center for Reproductive Rights

The Leukemia & Lymphoma Society

Treatment Communities of America

UnidosUS

Wisconsin Chapter of the American Academy of Pediatrics

Wisconsin Society of Addiction Medicine