February 14, 2011

The Honorable Secretary Sebelius  
Secretary, U.S. Department of Health and Human Services  
200 Independence Avenue, S.W., Room 120-F  
Washington, D.C. 20201

Dear Secretary Sebelius,

The undersigned organizations write to express our concerns about a Section 1115 demonstration proposal that was submitted by the state of Arizona on January 25, 2011. The proposal requests permission to waive the maintenance of effort requirement set forth in section 1902(gg) of the Social Security Act and the Transitional Medical Assistance provisions in sections 1902(a)(52) and (e)(1).

We do not believe that waiving these provisions in order to allow the state to eliminate health coverage for 280,000 people is an appropriate exercise of 1115 waiver authority. Section 1115 authorizes “experimental, pilot or demonstration projects” that are “likely to assist in promoting the objectives” of Medicaid. We believe that Section 1115 demonstration projects should test and evaluate new and innovative approaches to providing health care to Medicaid beneficiaries and other low-income persons. We do not believe that eliminating coverage for 280,000 persons is consistent with 1115 authority as it would not promote the objectives of Title XIX nor would it provide an opportunity to test any reasonable hypothesis about providing or improving coverage.

Thank you very much for considering our views on this matter.

AFSCME  
American Academy of Pediatrics  
American Association of People with Disabilities (AAPD)  
American Association on Health and Disability  
American Music Therapy Association  
ANCOR  
Bazelon Center for Mental Health Law  
Caring Ambassadors Program  
Center on Budget and Policy Priorities  
Children's Defense Fund  
Community Access National Network (CANN)  
Community Catalyst  
Easter Seals  
Families USA  
First Focus  
Georgetown University Center for Children and Families  
Harlem United Community AIDS Center  
HIV Medicine Association  
NACBHDD  
NAMI (National Alliance on Mental Illness)
National Association of Community Health Centers
National Council for Community Behavioral Healthcare
National Council on Aging
National Disability Rights Network
National Down Syndrome Congress
National Women’s Law Center
Natl. Assoc for Children's Behavioral Health
Planned Parenthood Federation of America
Project Inform
Service Employees International Union
The Arc of the United States
Treatment Access Expansion Project
United Cerebral Palsy