

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