

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