

JOHN A. YARMUTH
MEMBER OF CONGRESS
3RD DISTRICT, KENTUCKY

COMMITTEE ON THE BUDGET

COMMITTEE ON
ENERGY AND COMMERCE



Congress of the United States
House of Representatives
Washington, DC 20515-1703

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403 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5401
FAX (202) 225-5776

ROMANO MAZZOLI FEDERAL BUILDING
600 MARTIN LUTHER KING, JR. PLACE, SUITE 216
LOUISVILLE, KY 40202
(502) 582-5129
FAX (502) 582-5897

SOUTHWEST GOVERNMENT CENTER
7219 DIXIE HIGHWAY
LOUISVILLE, KY 40258
(502) 933-5863
FAX (502) 935-6934

Governor Matt Bevin
700 Capitol Avenue
Suite 100
Frankfort, KY 40601

Governor Bevin:

For the sake of the more than 400,000 Kentuckians whose health care coverage has been put in jeopardy by your Administration, I write to urge you to withdraw your request to the Centers for Medicare and Medicaid Services (CMS) for a Section 1115 Medicaid waiver.

Kentucky's Medicaid waiver request, as drafted by your Administration, was considered a long shot to be approved by CMS from the beginning of this process. Now, with the recent denial of a waiver provisions in Ohio and Arizona, there is no longer room for doubt. Kentucky's request will be denied.

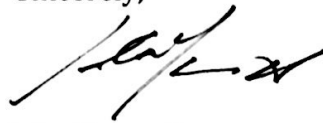
CMS stated in its letter denying Ohio's waiver that premium charges without respect to income "would undermine access to coverage and the affordability of care, and do not support the objectives of the Medicaid program." Your plan includes this explicitly rejected provision. CMS also rejected Ohio's proposal because the data submitted in its application showed that more than 100,000 individuals would lose coverage. Similarly, your plan estimates that 17,000 Kentuckians would lose coverage immediately and 85,000 would lose coverage after five years.

More recently, CMS approved part of Arizona's waiver request, but denied many other elements. Some of the rejected Arizona provisions include: requiring premiums for individuals living below the poverty line; a work requirement - which CMS has never approved; and excluding individuals from coverage for six months for non-payment of monthly premiums. All of these explicitly rejected provisions are in your plan.

Kentucky has had the most successful Medicaid expansion in the country. Your waiver request does not meet the Section 1115 waiver standard of furthering the objectives of the Medicaid program, which includes strengthening coverage or health outcomes for low-income individuals, increasing access to providers, or otherwise increasing efficiency and quality of care. The statutory requirements and CMS's recent findings make clear that Kentucky's application will be rejected in its current form. However, CMS also made clear that it is willing to work with states to find compromises that meet Medicaid program requirements and a Governor's desire for change, as was the case with Arizona.

Kentucky's Medicaid expansion is the national model of success and we should build on that progress. While we can debate the value of insuring more than 400,000 low-income Kentuckians, there is no longer any argument about the outcome of your current strategy. It will fail. You alone have the power to change course and redirect our Commonwealth's resources toward a plan that can move us forward and, hopefully, improve the lives of our fellow Kentuckians. I am pleading with you to withdraw your current waiver request. Do not turn your back on the hundreds of thousands of Kentuckians whose health and well-being depend on your decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Yarmuth', written in a cursive style.

John Yarmuth
Member of Congress