



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

May 19, 2017

Dear Senator:

The undersigned members of the Consortium for Citizens with Disabilities (CCD), write in response to the House of Representative's passage of the American Health Care Act (AHCA). We understand that the Senate will be drafting a separate bill, which may adopt parts of AHCA. While we have serious concerns about many provisions of the AHCA, we cannot overstate the danger facing the millions of adults and children with disabilities if the proposals related to Medicaid in the AHCA are adopted by the Senate.

For the past 52 years, Medicaid has provided healthcare and long term services and supports to millions of adults and children with disabilities. These 10 million participants with disabilities and, often, their families, depend on the critical services that Medicaid provides for their health, functioning, independence, and wellbeing. The disability community and bipartisan Congressional leaders have worked together to ensure that adults and children with disabilities have access to home- and community-based services that allow them to live, work, and receive an education in the community. Medicaid has been a key driver of innovations in cost-effective community-based care, and is now the primary and, often only, provider of home- and community-based services in the United States. People with disabilities rely on Medicaid for nursing and personal care services, specialized therapies, intensive mental health services, special education services, and other needed services that are unavailable through private insurance.

The adult Medicaid Expansion also provides millions more adults with disabilities with access to affordable coverage, often for the first time. These are people who previously fell through the cracks in our system, such as individuals with disabilities in a mandatory waiting period before their Medicare coverage begins and millions of people with a behavioral health condition who previously had no pathway to steady coverage. As one example, nearly 40% of enrollees in Ohio's Medicaid expansion had a chronic condition before enrolling, and 25% received a new

diagnosis *after* they enrolled.¹ Other expansion states show similar proportions. Also, millions of family caregivers, who work caring for a child or older adult with a disability and hundreds of thousands of low wage direct care workers serving people with disabilities also gained coverage through the Medicaid expansion. Medicaid expansion thus also helps stabilize our long-term care support networks by keeping caregivers healthy and reducing turnover.

The AHCA's Medicaid proposals break the promise that the United States made 52 years ago to provide needed healthcare to adults and children with disabilities. The per capita cap proposal radically restructures the financing of the Medicaid program and divorces the federal contribution to Medicaid from the actual costs of meeting people's healthcare needs. While we are still waiting for the Congressional Budget Office (CBO) score for the bill that passed the House, the final version did not modify the Medicaid provisions, which found that the Medicaid program would be cut by \$839 billion. As the CBO recognized, this drastic cut and cost shift will require states to cut services and/or eligibility, putting the health and wellbeing of people with disabilities at significant risk. In fact, people with disabilities are particularly at risk because home- and community-based services (including waivers) are optional Medicaid services and will likely be the first services cut when states are addressing budgetary shortfalls. Even worse, the cuts to Medicaid in the AHCA are being used to pay for tax cuts, including cuts that would directly undermine the financial security of Medicare. The lives of adults and children with disabilities literally depend on Medicaid. The per capita caps and effective repeal of the Medicaid expansion will endanger millions of people with disabilities. We urge all Senators to reject these devastating Medicaid proposals.

We also have serious concerns about other proposals in the AHCA,² including the MacArthur amendment which would allow states to waive critical health insurance protections that help people with preexisting conditions and people who need access to essential health benefits. The AHCA makes health insurance less affordable for millions of people, particularly those with chronic health conditions and people with disabilities. The cumulative effect of the private insurance and Medicaid proposals will leave people with disabilities without care and without choices, caught between Medicaid waiting lists, unaffordable private insurance, and limited high-risk pools. We ask all Senators to reject these proposals as well and work to ensure that all adults and children with disabilities have access to the healthcare they need.

Finally, the Senate has a longstanding history of deliberating policy proposals through a transparent processes, including public hearings, open comment periods on discussion drafts, multi-stakeholder meetings and more. We urge you to incorporate these processes into your current work on healthcare.

¹ Ohio Dept. of Medicaid, Ohio Medicaid Group VIII Assessment: A Report to the Ohio General Assembly, 3, 28 (2016).

² Please see our letter to the House on March 17, 2017, detailing our additional concerns with the AHCA. Available at http://www.c-c-d.org/fichiers/Letter-on-AHCA_3-16-17.pdf.

Sincerely,

ACCSES

Advance CLASS/Allies for Independence

American Academy of Physical Medicine and Rehabilitation

American Association of People with Disabilities

American Association on Health and Disability

American Civil Liberties Union

American Foundation for the Blind

American Medical Rehabilitation Providers Association

American Music Therapy Association

American Network of Community Options and Resources

American Occupational Therapy Association

American Psychological Association

American Speech-Language-Hearing Association

American Therapeutic Recreation Association

Association of Assistive Technology Act Programs

Association of People Supporting Employment First

Association of University Centers on Disabilities

Autism Society

Autistic Self Advocacy Network

Bazelon Center for Mental Health Law

Brain Injury Association of America

Center for Public Representation

Christopher and Dana Reeve Foundation

Community Legal Services of Philadelphia

Conference of Educational Administrators of Schools and Programs for the Deaf

Council for Exceptional Children

Council of Parent Attorneys and Advocates

Disability Rights Education and Defense Fund

Division for Early Childhood of the Council for Exceptional Children

Easterseals

Epilepsy Foundation

Family Voices

Higher Education Consortium for Special Education

Institute for Educational Leadership

Jewish Federations of North America

Justice in Aging

Lupus Foundation of America

Lutheran Services in America Disability Network
Mental Health America
National Alliance on Mental Illness
National Association of Councils on Developmental Disabilities
National Association of School Psychologists
National Association of State Directors of Special Education
National Association of State Head Injury Administrators
National Center for Learning Disabilities
National Committee to Preserve Social Security and Medicare
National Council for Behavioral Health
National Council on Aging
National Council on Independent Living
National Disability Institute
National Disability Rights Network
National Down Syndrome Congress
National Health Law Program
National Multiple Sclerosis Society
National Organization of Social Security Claimants' Representatives
National Respite Coalition
Parent to Parent USA
School Social Work Association of America
SourceAmerica
Teacher Education Division of the Council for Exceptional Children
The Advocacy Institute
The Arc of the United States
United Cerebral Palsy
United Spinal Association