



February 14, 2022

The Honorable Chiquita Brooks-LaSure  
 Administrator  
 Centers for Medicare & Medicaid Services  
 U.S. Department of Health and Human Services  
 7500 Security Boulevard  
 Baltimore, MD 21244

Dear Administrator Brooks-LaSure:

Our organizations, representing millions of individuals with serious and chronic health conditions across the country, would like to thank the Centers for Medicare and Medicaid Services (CMS) for the agency’s recent decision to remove a critical financial barrier to Medicaid coverage by rejecting and phasing out premiums in Section 1115 waivers. This is exactly the type of policy change we have advocated for under President Biden’s January 28, 2021 executive order directing HHS to re-examine “demonstrations and waivers under Medicaid and the ACA that may reduce coverage or undermine the programs.”<sup>1</sup>

<sup>1</sup> FACT SHEET: President Biden to Sign Executive Orders Strengthening Americans’ Access to Quality, Affordable Health Care, The White House, Statements and Releases, January 28, 2021. Available at: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/28/fact-sheet-president-biden-to-sign-executive-orders-strengthening-americans-access-to-quality-affordable-health-care/>

Our organizations have long supported the elimination of premiums in the Medicaid program that go beyond those authorized in statute.<sup>2</sup> As such, we strongly support the actions taken in December 2021 phasing out premiums in the Arkansas and Montana 1115 waiver demonstrations, as well as withdrawing the authority for Georgia to begin implementing premiums in its demonstration.

As you know, the evidence is clear that premiums make it harder for individuals to obtain or keep healthcare coverage through the Medicaid program.<sup>3</sup> Consistent with the evidence across many states, the Montana, Arkansas and Georgia premium waivers presented significant financial barriers to health coverage for the patients we represent. The agency's finding that premiums do not promote the objectives of the Medicaid program is the only reasonable conclusion. As such, the prior Administration lacked the legal authority to approve premium waivers, and we applaud you for taking the necessary steps to bring these demonstrations into compliance with Medicaid law.

The inclusion of premiums can also exacerbate existing disparities in access to healthcare, as they have been shown to lead to lower enrollments for Black enrollees and lower-income enrollees, compared to their white and higher-income counterparts, respectively.<sup>4</sup> Removing these premiums both removes significant barriers to coverage and increases equitable access to healthcare for all Medicaid enrollees.

We thank CMS for taking this important step regarding premiums, which will allow for more equitable access to healthcare. We look forward to working with you to address other waivers that include barriers to coverage such as excessive cost-sharing, the elimination of retroactive coverage and limitations on key benefits so that we can continue to improve access to care in the Medicaid program.

Sincerely,

American Cancer Society Cancer Action Network  
American Heart Association  
American Lung Association  
Asthma and Allergy Foundation of America  
Cystic Fibrosis Foundation  
Epilepsy Foundation  
Hemophilia Federation of America  
Immune Deficiency Foundation  
March of Dimes

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<sup>2</sup> Health Partner Comments to CMS. Available at: <https://www.lung.org/getmedia/05807ac4-bd00-4e8b-949b-c4bbc1f23940/health-partner-comments-to-9.pdf>; [https://www.lung.org/getmedia/962d3bb6-9ccd-40eb-a950-e49bf1891fee/health-partner-comments-arkansas-1115-\(final\).pdf](https://www.lung.org/getmedia/962d3bb6-9ccd-40eb-a950-e49bf1891fee/health-partner-comments-arkansas-1115-(final).pdf); <https://www.lung.org/getmedia/f06b3cf8-d8bc-4503-b79e-58e253ae7539/health-partner-ga-postpartum-coverage-comments.pdf>

<sup>3</sup> Samantha Artiga, Petry Ubri, and Julia Zur, "The Effects of Premiums and Cost Sharing on Low-Income Populations: Updated Review of Research Findings," Kaiser Family Foundation, June 2017. Available at: <https://www.kff.org/medicaid/issue-brief/the-effects-of-premiums-and-cost-sharing-on-low-income-populations-updated-review-of-research-findings/>

<sup>4</sup> University of Wisconsin-Madison Institute for Research on Poverty. (2019). Evaluation of Wisconsin's BadgerCare Plus Health Coverage for Parents & Caretaker Adults and for Childless Adults 2014 Waiver Provisions. Available at <https://www.irp.wisc.edu/wp/wp-content/uploads/2019/11/BC-2014-Waiver-Provisions-Final-Report-08302019.pdf>

Muscular Dystrophy Association  
National Alliance on Mental Illness  
National Eczema Association  
National Hemophilia Foundation  
National Multiple Sclerosis Society  
National Organization for Rare Disorders  
National Patient Advocate Foundation  
Susan G. Komen  
The AIDS Institute  
The Leukemia & Lymphoma Society  
United Way Worldwide

CC: The Honorable Xavier Becerra, Secretary, Department of Health and Human Services; The Honorable Daniel Tsai, Deputy Administrator and Director, Center for Medicaid and CHIP Services