

April 14, 2008

The Honorable Michael N. Castle
1233 Longworth House Building
Washington D.C. 20515

Dear Congressman Castle:

I write on behalf of the State Council for Persons with Disabilities (SCPD) regarding H.R. 5613 (Protecting Medicaid Safety Net Act of 2008) which would provide a one year moratorium on Centers for Medicare and Medicaid Services (CMS) regulations, prohibiting any possible implementation until April of 2009. The proposed legislation was introduced by House Energy and Commerce Committee Chairman John Dingell (D-MI) and Rep. Tim Murphy (R-PA) on March 13. It is SCPDs understanding that Senator John D. Rockefeller (D-WV) may be introducing a similar bill in the Senate.

As background, CMS has issued several regulations which would significantly cut payments to Medicaid providers and cut services to beneficiaries. Three regulations, which are summarized below, would severely cut services to people with disabilities:

Regulation	5 Year Cost	Status	Description	Changes could impact
Rehabilitation Services (Rehab) Option	\$2.3 billion cut	Proposed: August 2007 Moratorium through June 2008	Narrows scope of rehab services.	Day habilitation such as DD skills training and communications skills training
School-Based Administration and Transportation Services	\$3.6 billion cut	Final: December 2007 Moratorium through June 2008	Prohibits all Medicaid payments for school-based administration and most transportation services.	*Specialized transportation *Occupational therapy *Physical therapy *Speech/language therapy
Case Management and Targeted Case Management (TCM)	\$1.3 billion cut	Interim final: December 2007 Became effective on March 3, 2008	Restricts coverage of case management and targeted case management.	* Transition from institutional care to the community

SCPD has commented in the past on two of these regulations (see attached letters) and encourages you to endorse the concept of H.R. 5613 based on the following:

- Medicaid is the lifeline for millions of people with disabilities.
- Medicaid disability services are slated to be cut by over \$7 billion over the next 5 years by three Administration regulations.
- States are in fiscal crises and do not have the money to make up the lost funding imposed by the Administration's Medicaid regulations. States will be forced to cut Medicaid eligibility and services to people who need it the most.
- There may not be time this congressional session to pass changes to Medicaid law. We need moratoria on the Administration's Medicaid regulations.

Thank you for your consideration.

Sincerely,

Daniese McMullin-Powell, Chair
State Council for Persons with Disabilities

Attachments

Cc: The Honorable Joseph R. Biden, Jr.
The Honorable Thomas R. Carper
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

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