

Congress of the United States
Washington, DC 20515

September 18, 2008

The Honorable Michael O. Leavitt
Secretary
Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Mr. Secretary:

As Members of the California delegation, we are writing to urge you to reconsider your recent Departmental action to impose unworkable new conditions on the operation of the long-standing Medicaid waiver that allows California to provide family planning services to persons with incomes below 200% of poverty who do not qualify for the full State Medicaid program. We urge you to continue the program (the Family Planning, Access, Care and Treatment program (F-PACT)) in its current form.

As you are aware, the provision of family planning services to this population is designed to prevent unwanted pregnancies. Preventing unwanted pregnancies both reduces births of children who would require Medicaid services and also prevents abortions. Both are highly positive outcomes in themselves, and they also have the additional advantage of savings in health care expenditures for both the State and Federal government.

The waiver allowing California to provide these services to women and men above the Medicaid income level has been in place since December 1999, with short-term extensions approved by your Administration consistently since 2004. In that year, it was estimated that 1.6 million people were served; 169,000 pregnancies were avoided; and the Federal and State governments *each* saved nearly half a billion dollars (even after taking the costs of the program into account).

Given the success of the program, it is particularly concerning that the Administration has now decided to impose expensive and impractical changes in the procedures for determination of eligibility for the program. The proposed changes will create significant barriers to enrolling women and will require timely and costly procedures that the State cannot meet. In order to carry out the full eligibility procedures that CMS has proposed would require hiring 2,800 new eligibility workers and would cost nearly two-thirds as much as the service itself. This would be difficult to meet under any reasonable timeline, but is particularly problematic given the current budget crisis under which the State is operating.

We strongly urge you to rescind the new requirements you have imposed as a condition for the continuation of the waiver. It is critical that the State be assured that

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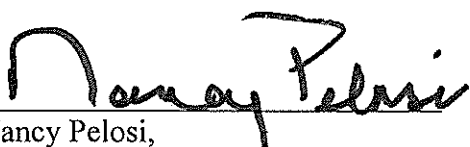
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Federal matching will continue to be available at least through the State fiscal year for the continuing operation of its existing program.

Continuation of the program under its current form will mean ongoing savings for the Federal government, and for the State of California. It will mean the avoidance of thousands of unwanted pregnancies. It will mean fewer abortions.

We seek your immediate assistance in granting a continuation of the waiver under the existing terms and conditions.

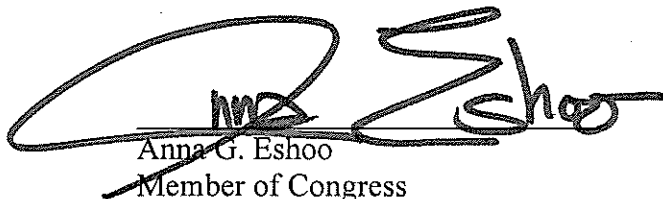
Sincerely,



Nancy Pelosi,
Speaker of the House



Henry A. Waxman
Member of Congress



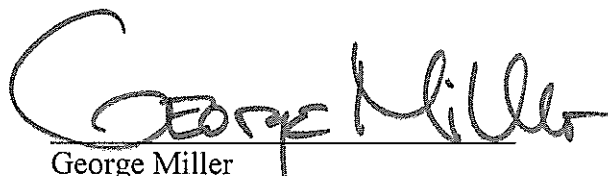
Anna G. Eshoo
Member of Congress



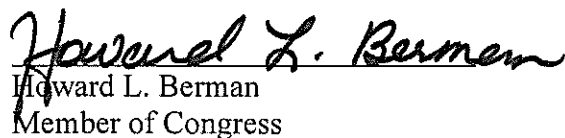
Lois Capps
Member of Congress



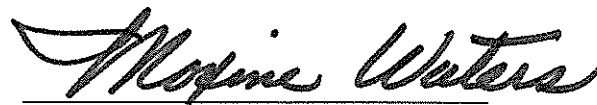
Fortney Pete Stark
Member of Congress



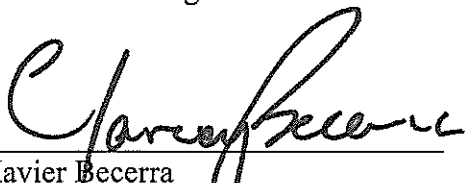
George Miller
Member of Congress



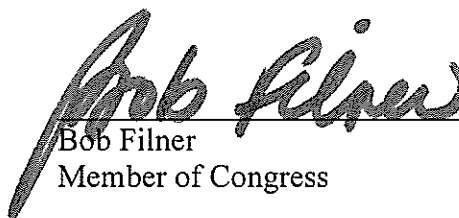
Howard L. Berman
Member of Congress



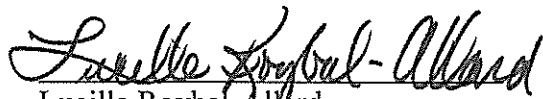
Maxine Waters
Member of Congress



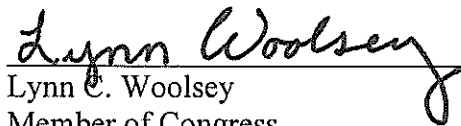
Xavier Becerra
Member of Congress



Bob Filner
Member of Congress



Lucille Roybal-Allard
Member of Congress



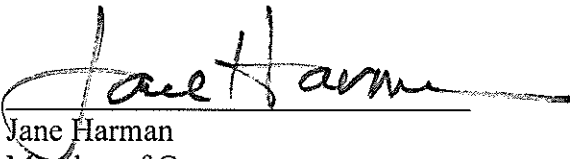
Lynn C. Woolsey
Member of Congress



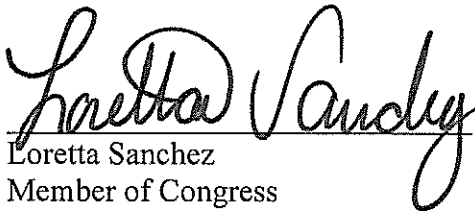
Sam Farr
Member of Congress



Zoe Lofgren
Member of Congress



Jane Harman
Member of Congress



Loretta Sanchez
Member of Congress



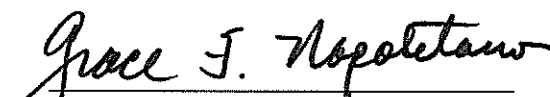
Brad Sherman
Member of Congress



Ellen O. Tauscher
Member of Congress



Barbara Lee
Member of Congress



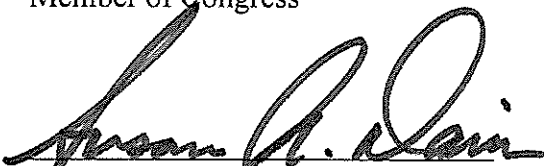
Grace F. Napolitano
Member of Congress



Joe Baca
Member of Congress



Mike Thompson
Member of Congress



Susan A. Davis
Member of Congress



Michael M. Honda
Member of Congress



Adam B. Schiff
Member of Congress



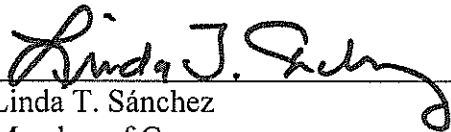
Hilda L. Solis
Member of Congress



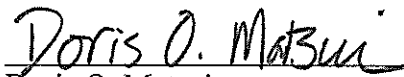
Diane E. Watson
Member of Congress



Dennis A. Cardoza
Member of Congress



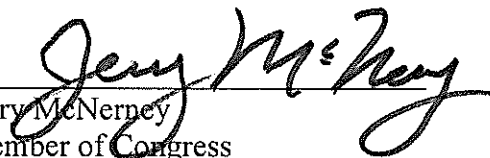
Linda T. Sánchez
Member of Congress



Doris O. Matsui
Member of Congress



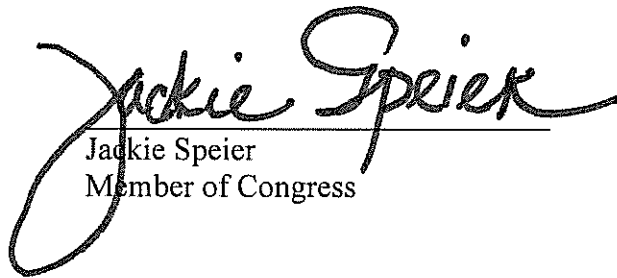
Jim Costa
Member of Congress



Jerry McNerney
Member of Congress



Laura Richardson
Member of Congress



Jackie Speier
Member of Congress