THE **AIDS** INSTITUTE

November 5, 2009

Rep. Nancy Pelosi
Speaker
H-232 The Capitol
United States House of Representatives
Washington, DC 20515

RE: "Affordable Health Care for America Act" (H.R. 3962)

Dear Speaker Pelosi:

On behalf of The AIDS Institute, I am writing to express our support for the "Affordable Health Care for America Act" (H. R. 3962) and urge its immediate passage.

First and foremost, **The AIDS Institute strongly supports your leadership in addressing health reform and looks forward to passage of a final bill this year.** With 46 million people in the United States uninsured and an estimated 50 percent of people with HIV/AIDS in our country not accessing consistent healthcare, your efforts to expand access to affordable healthcare are extremely important to the Nation and to people living with HIV/AIDS.

Secondly, **The AIDS Institute applauds you for the many ways the House bill expands access to health care and prevention services in the "Affordable Health Care for America Act".** This includes a) reforming the private insurance market, including ending the practice of excluding beneficiaries for pre-existing conditions; b) expanding Medicaid eligibility for childless adults; c) creating exchanges for the purchase of insurance with subsidies for low-income individuals and cops on out-of-pocket expenses; and d) closing the Medicare Part D "donut hole" over time. We are also very supportive of efforts to address the health workforce issue, with particular attention to those treating HIV/AIDS, and attention to improving preventive services, including the Healthy Teen Initiative to Prevent Teen Pregnancy, which also addresses sexually transmitted diseases.

Thirdly, The AIDS Institute wishes to highlight the inclusion of two specific issues that directly impact people living with HIV for which we are extremely grateful. **The bill provides states the option to cover low-income HIV positive people, who have not yet progressed to AIDS, to be covered under Medicaid.** States can do this until the Medicaid expansion in the bill takes effect and receive an enhanced Federal Medical Assistance Percentage. This will greatly assist people with HIV in accessing lifesaving health care and treatment and will save countless lives. It is simply unacceptable that people with HIV must progress to full-blown AIDS to access Medicaid.

The bill also allows expenditures by the AIDS Drug Assistance Program (ADAP) to count in the calculation of True Out of Pocket Expenses (TrOOP) in the Medicaid Part D

Program. Currently, ADAPs, which are funded by both federal and state dollars, may wrap around the Part D benefit by covering deductibles, coinsurance and co-payments, but do not count towards TrOOP. Correcting this inequity would allow the "donut hole" to be filled in and reduce the cost burden on the already financially strapped state ADAPs.

The AIDS Institute thanks you for your leadership on this and so many other issues important to people living with HIV/AIDS. Upon the House bill's passage, we will look forward to working with you and your colleagues as you craft a final bill with the United States Senate. Should you have any questions or comments, please feel free to contact me at (202) 462-3042 or cschmid@theaidsinstitute.org.

Thank you very much.

Sincerely,

Carl E. Schmid II
Deputy Executive Director

cc: Members of the U.S. House of Representatives