

1660 L Street, NW • Suite 700
Washington, DC 20036
TEL 800.USA.5UCP/202.776.0406
TTY 800.872.5827
FAX 202.776.0414

November 4, 2009

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, D.C. 20515

RE: United Cerebral Palsy Supports H.R. 3962

Dear Speaker Pelosi:

I am writing to express United Cerebral Palsy's (UCP) strong support for the Affordable Health Care for America Act of 2009 (H.R. 3962). UCP is one of the nation's largest health charities with an affiliate network of almost 100 organizations that provide direct services to more than 176,000 children and adults with all types of disabilities.

Achieving access to affordable, comprehensive health care has been a high priority for the disability community for decades. Several provisions of the America's Affordable Health Choices Act (H.R. 3962) will make significant strides toward meeting that goal.

Insurance Market Reforms

The insurance market reforms in H.R. 3962, such as the elimination of pre-existing condition exclusions, requirements of guaranteed issue and renewal, prohibition of discrimination based on health status, and the elimination of annual and lifetime caps constitute a sea change in the American health care system. We are especially pleased that effective January 1, 2010, H.R. 3962 shortens the time that plans can look back for pre-existing conditions from six months to thirty days and shortens the time plans may exclude coverage of certain benefits generally from twelve months to three months.

Long Term Services and Supports

Ensuring that individuals with disabilities can live in the community is the top priority for United Cerebral Palsy. We recognize the importance of Medicaid in providing long term services and supports to our constituents. We also believe that it is time to develop an approach that takes some of the pressure off of the Medicaid program and helps individuals and families avoid poverty. We applaud the inclusion of the Community Living Assistance Services and Supports (CLASS) Act, a new actuarially sound, premium-based, national long term services insurance program to help adults with severe functional impairments to remain independent, employed, and a part of their communities, without having to

impoverish themselves to become eligible for Medicaid. In addition to increasing independence for people with disabilities, this measure, as the Congressional Budget Office has determined, will decrease Medicaid costs over time.

Medicaid

We are especially pleased that H.R. 3962 includes a six month extension, through FY 2011, of the American Recovery and Reinvestment Act's increase to the federal share of Medicaid spending (FMAP). Medicaid is a critical resource that finances the services our affiliates provide to children and adults with disabilities across the country. As you know, due to the recession, many states have been forced to make severe cuts in Medicaid spending. The extension of the FMAP increase is an important step in stabilizing Medicaid programs throughout the nation and ensuring that individuals receive the services they desperately need.

In addition, United Cerebral Palsy is very grateful that H.R. 3962 increases the Medicaid reimbursement rate for primary care providers to the Medicare rate with federal support. Low Medicaid reimbursement rates have been a significant barrier in accessing quality primary care for Medicaid beneficiaries with disabilities across the country. We believe that this critical provision will go a long way toward improving quality health care for the individuals we serve.

We also believe this is the right time to address the institutional bias in the Medicaid program. Approximately 73% of Medicaid long term services funds are spent on institutional services, even though most beneficiaries prefer getting services in their own home. Therefore, when considering the final House and Senate legislation, we strongly urge you to support the provisions in the Senate Finance Committee bill that expand Medicaid home and community based services, including the Community First Choice option program and increased FMAP for states that undertake structural reforms to increase diversions from institutions to the community. We believe this is a not only right for the individuals, but fiscally sound for the nation.

The Health Insurance Exchange

H.R. 3962 requires the essential benefits package of plans in the new Health Insurance Exchange to contain critical services for children and adults with disabilities such as:

- Rehabilitation and habilitation services;
- Durable medical equipment (e.g. wheelchairs), prosthetics, orthotics, and related supplies; and
- Behavioral health treatment.

These services are critical to enabling the children and adults we serve to function and live independently. We therefore applaud the House for including them in the Exchange's essential benefits package.

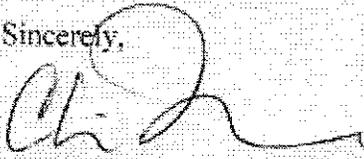
Other Important Provisions

We are extremely pleased that the following provisions which are of great importance to people with disabilities are included in H.R. 3962:

- Requirements for the development of standards for accessible diagnostic and other medical equipment;
- Inclusion of "disability" as a category for purposes of health disparities; and
- Inclusion of "disability" as a subpopulation in the Comparative Effectiveness Research (CER) provisions.

Thank you for your tremendous leadership on health care reform. UCP looks forward to working with you and your staff to secure swift passage of the Affordable Health Care for America Act.

Sincerely,



Christopher Thomson
Vice President Corporate Affairs
General Counsel

CC: The Honorable Steny Hoyer
The Honorable Henry Waxman
The Honorable Charles Rangel
The Honorable George Miller
The Honorable Frank Pallone
The Honorable Pete Stark