

January 27, 2015

Angela Garner  
Deputy Director  
Division of State Demonstrations and Waivers  
Center for Medicaid and CHIP Services, CMS  
7500 Security Boulevard, Mail Stop S2-01-16  
Baltimore, MD 21244-1850

**Re: Proposed California Amendment to Bridge to Health Reform  
Demonstration (No. 11-W-00193/9), Drug Medi-Cal Organized  
Delivery System Waiver**

Dear Ms. Garner:

I write on behalf of the 297 patients who receive substance abuse disorder treatment services at our opiate treatment program located at 40700 California Oaks Rd, Murrieta, CA 92562. We are strongly opposed to sections of the California Bridge to Reform Demonstration (No. 11-W-00193/9) Amendment for Drug Medi-Cal Organized Delivery System Waiver, submitted by the California Department of Health Care Services. Our concern, based on 8 years of service is that waiving federal access protections and granting Riverside County authority to establish reimbursement rates will result in decreased access to critical, life-saving treatment services.

Specifically, the current proposal will waive beneficiary freedom of choice, equality in amount, duration and scope, state wideness and reasonable promptness, some of which form the basis of a lawsuit 20 years ago called *Sobky Vs. Smoley*. As a result of the lawsuit, significantly more people have entered treatment and beneficiaries can access medically-necessary treatment on demand, without the waiting lists that were standard practice before the lawsuit. This waiver is likely to overturn that lawsuit and cause California and Riverside County to regress back more than 20 years. We ask that CMS **NOT** do anything that may undermine the permanent injunction that was based on overwhelming evidence of county efforts to limit access. Instead, we suggest CMS require California to carve-out opiate treatment providers from this waiver. Such carve-out will not preclude Riverside County from contracting with our program and offering OTP services to residents of Riverside County.

Temecula Valley Treatment Center has served the cities surrounding Murrieta, CA for 8 years. We provide comprehensive outpatient services to our 297 patients. Our treatment model is a flexible alternative to residential or day treatment. In our structured and supportive therapeutic setting, patients receive education,

Angela Garner  
January 21, 2015  
Page 2

individual counseling, family support, 12 Step orientation, relapse prevention and continuing care planning. When used in conjunction with counseling, medication assisted treatment is a highly effective treatment option. Our clinic is 60% male and 40% female. 70% of our patients are Caucasian and 24% are Hispanic. African American, Asian and American Indian ethnic groups represent the remaining percentage of our patients. TVTC takes great pride in being able to service our community by partnering with county and private social service agencies in our region. This partnership ensures that anyone that contacts us for help of any kind will be provided an appropriate referral should our services not meet someone's need.

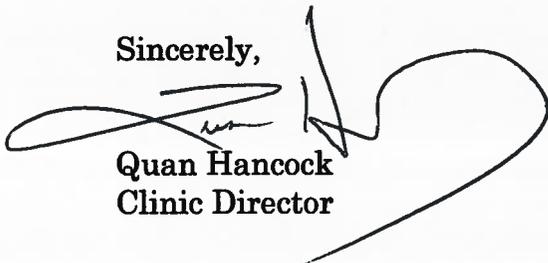
Health care reform (the Affordable Care Act) has significantly increased access to OTP services. This waiver will undermine the intent of the ACA.

The proposed appeals process for providers whose contract are terminated is superficial and extremely limited, only allowing appeals when a county determines they have an adequate network, but not in the case of a county that simply wants to limit funding or a county that simply wants to use a pretext to reduce access. Moreover, there are no metrics for determining network adequacy. After twenty years of success, California's proposed Organized Delivery System would now give back primary responsibility to choose providers, to set rates, and to control access to narcotic treatment programs to all California counties, including those that illegally denied care for many years.

In summary, Temecula Valley Treatment Center requests that narcotic treatment programs be exempted from the Organized Delivery System waiver for the above stated reasons.

If you would like more information, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Quan Hancock', is written over a large, stylized, looping flourish that extends across the signature area.

Quan Hancock  
Clinic Director