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October 6, 2015

The Honorable Sylvia Mathews Burwell, Secretary
U.S. Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

Dear Secretary Burwell:

I am writing to express support for Montana's proposal to expand its Medicaid program, and to urge you to finalize the terms of an 1115 Medicaid waiver (and any related waivers) in a manner that will allow implementation of the Montana plan while maintaining important protections for Medicaid beneficiaries.

SEIU represents over 2.3 million workers, ranging from frontline healthcare workers to building services and government employees and including Montana home care workers who are part of SEIU Local 775. As one of the strongest advocates for passage of health reform, SEIU has a deep interest in the successful implementation of the law and we have worked hard to encourage states to implement the law's Medicaid expansion requirement. While we believe that it is ideal for states to simply expand their existing Medicaid programs in line with the ACA provisions, we recognize that, thanks to the 2012 Supreme Court decision, states have a choice as to whether they implement the expansion and that they approach this choice from very different vantage points.

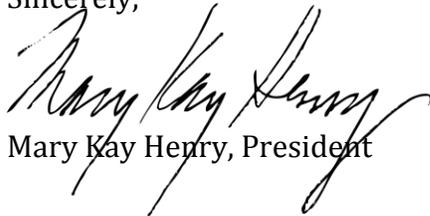
In the case of Montana, SEIU members participated actively in a diverse coalition that worked together for nearly three years to push for Medicaid expansion. The culmination of their efforts was the passage, with bipartisan support, of the Montana HELP Act, which sets the terms for a Medicaid expansion. Montana was the first state in nearly two years to approve compromise legislation to expand Medicaid, and an expansion is expected to provide coverage to some 70,000 Montanans, including some of the same SEIU members who worked for passage of the law.

While some of the cost-sharing provisions in the law and proposed waiver may raise legitimate concerns about potential effect on enrollment, we note that they are roughly in line with other waivers CMS has approved, particularly the Indiana waiver—the design of which helped inform debate around the Montana waiver legislation. We hope that you will work with the state to clarify definitions and set the waiver terms and conditions (for instance, the definition of “exceptional health care needs” that will make someone eligible for the regular Medicaid program) in a manner that encourages enrollment and maximizes financial protections for enrollees. We also hope that once the waiver is approved you will monitor the effect of the cost-sharing provisions carefully in order to assess their impact on access to coverage. Finally, we note our strong support for the state’s proposal to implement 12-month continuous eligibility for Medicaid enrollees—a proposal for which we have advocated nationally in the past.

While we hope, as noted above, that you will work carefully to design the best waiver that is possible within the parameters of the Montana HELP Act, we also hope that you will approve the waiver application in a timely fashion so that the state can begin to implement its coverage expansion.

Thanks you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Kay Henry". The signature is fluid and cursive, with a large, sweeping initial "M".

Mary Kay Henry, President