

Congress of the United States
Washington, DC 20515

February 15, 2019

The Honorable Rosa L. DeLauro
Chairwoman
Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
House Committee on Appropriations
H-305, The Capitol
Washington, D.C. 20515

The Honorable Tom Cole
Ranking Member
Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
House Committee on Appropriations
H-305, The Capitol
Washington, D.C. 20515

Dear Chairwoman DeLauro and Ranking Member Cole:

We are writing to express our concern about a soon-to-be proposed change in a Medicaid regulation that for the first time would allow states to eliminate Medicaid non-emergency medical transportation (NEMT) for patients that are blind, elderly, or disabled. The Medicaid rule, which is expected to be promulgated in May 2019, would repeal long-standing regulations (CFR §431.53) that have been upheld in the courts requiring State plans to include necessary transportation to and from providers.

As you may be aware, NEMT is an essential component of our nation's health care delivery system, especially in rural areas. According to a recent Kaiser study (see attached chart), over half of Medicaid transportation services are utilized by patients with the highest burden of chronic diseases, including those diagnosed with cancer, HIV, mental illness, substance abuse, and end-stage renal disease. In fact, NEMT is vital to many of our constituents who are Medicaid patients. Without this help, they could not access chemotherapy, dialysis, and other services that allow them to remain at home and out of the hospital. NEMT also helps them to travel to their pharmacists to obtain their drug prescriptions and medical supplies.

Currently, NEMT is utilized by roughly 10% of Medicaid enrollees and accounts for only 1% of total Medicaid spending. It is reserved for beneficiaries who have no other means of transportation to and from their medical appointments. State programs help to ensure the benefit is accessible only to those in need.

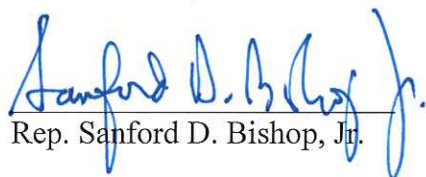
The elimination of Medicaid NEMT would have an adverse impact both on beneficiaries and state budgets. As members of the Congressional Black Caucus, we respectfully request that the Fiscal Year 2020 Labor-HHS Appropriations bill contain the following legislative language to block implementation of this unwise policy:

None of the funds appropriated in this bill or otherwise made available to the Department of Health and Human Services shall be used to publish the proposed regulation in the Fall 2018 Unified Agenda of Regulatory and Deregulatory Actions relating to the Medicaid Nonemergency Medical Transportation benefit for Medicaid beneficiaries expected to be published for comment in May 2019 and promulgated in Fall 2019 (RIN:0938-AT81).

We would be grateful if you would include this important legislative language in the FY2020 Labor-HHS Appropriations bill and join us in blocking any attempt to eliminate or undermine Medicaid NEMT. It is essential that we retain the requirement for States to offer transportation to all Medicaid patients that have no other means to access health services.

Thank you for your kind attention.

Sincerely,


Rep. Sanford D. Bishop, Jr.


Rep. Alma S. Adams


Rep. Colin Z. Allred


Rep. Karen Bass


Rep. Joyce Beatty


Rep. Lisa Blunt Rochester


Rep. Anthony G. Brown


Rep. G.K. Butterfield


Rep. André Carson


Rep. Yvette D. Clarke

Wm. Lacy Clay
Rep. William Lacy Clay

James E. Clyburn
Rep. James E. Clyburn

Danny K. Davis
Rep. Danny K. Davis

Val B. Demings
Rep. Val Butler Demings

Marcia L. Fudge
Rep. Marcia L. Fudge

Alcee L. Hastings
Rep. Alcee L. Hastings

Steven Horsford
Rep. Steven Horsford

Hakeem S. Jeffries
Rep. Hakeem S. Jeffries

Hank Johnson
Rep. Henry C. "Hank" Johnson, Jr.

Emanuel Cleaver
Rep. Emanuel Cleaver

Elijah E. Cummings
Rep. Elijah E. Cummings

Antonio Delgado
Rep. Antonio Delgado

Dwight Evans
Rep. Dwight Evans


Al Green
Rep. Al Green

Jahana Hayes
Rep. Jahana Hayes

Sheila Jackson Lee
Rep. Sheila Jackson Lee

Eddie Bernice Johnson
Rep. Eddie Bernice Johnson

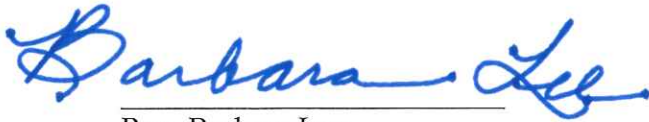
Robin L. Kelly
Rep. Robin L. Kelly



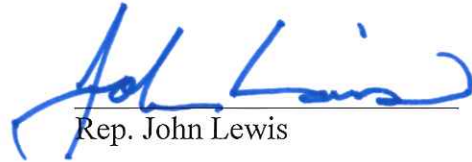
Rep. Brenda L. Lawrence



Rep. Al Lawson, Jr.



Rep. Barbara Lee



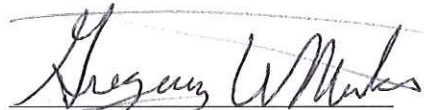
Rep. John Lewis



Rep. Lucy McBath



Rep. A. Donald McEachin



Rep. Gregory W. Meeks



Rep. Gwen Moore



Rep. Joe Neguse



Rep. Eleanor Holmes Norton



Rep. Ilhan Omar



Rep. Donald M. Payne, Jr.



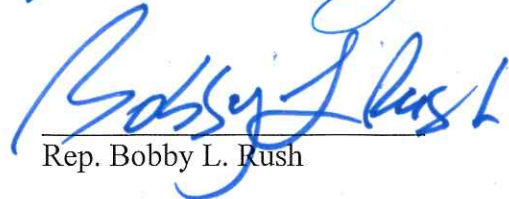
Rep. Stacey E. Plaskett




Rep. Ayanna Pressley



Rep. Cedric L. Richmond



Rep. Bobby L. Rush



Rep. David Scott



Rep. Robert C. "Bobby" Scott

Terri Sewell

Rep. Terri A. Sewell

Bennie G. Thompson

Rep. Bennie G. Thompson

Lauren Underwood

Rep. Lauren Underwood

Marc A. Veasey

Rep. Marc A. Veasey

Maxine Waters

Rep. Maxine Waters

Bonnie Watson Coleman

Rep. Bonnie Watson Coleman

Frederica S. Wilson

Rep. Frederica S. Wilson

cc The Honorable Nita M. Lowey
cc The Honorable Kay Granger