

Congress of the United States
Washington, DC 20510

October 29, 2019

The Honorable Alex M. Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Azar:

As Ranking Member of the United States Senate Committee on Finance and Chairman of the House Committee on Energy and Commerce with jurisdiction over Medicaid and the Children's Health Insurance Program (CHIP), we write to you regarding our serious concerns with the continued and unprecedented increase in the number of uninsured children in the United States.

Last month, the U.S. Census Bureau released new data showing that for the second year in a row more children were uninsured. This is despite a strong economy and trends up until two years ago showing consistent health coverage gains for children. According to the data, 5.5 percent of children were uninsured in 2018, an increase of 425,000 children from 2017.¹ It also follows an alarming trend of declining child enrollment in Medicaid and CHIP. Over 830,000 children lost Medicaid and CHIP coverage in 2018 nationwide, and though some states with declining enrollment in 2018 have started to regain momentum in 2019, cumulative enrollment losses from December 2017 through May 2019 have now surpassed one million children.²

This is a disturbing trend that the Administration should be looking to correct, but, instead, your Administration has applauded the enrollment declines among children. And while you assert that

¹ U.S. CENSUS BUREAU, HEALTH INSURANCE COVERAGE IN THE UNITED STATES: 2018 (Sept. 10, 2019), *available at* <https://www.census.gov/library/publications/2019/demo/p60-267.html>.

² TRICIA BROOKS, GEORGETOWN UNIV. HEALTH POLICY INST. CTR. FOR CHILDREN & FAMILIES, WHAT HAS HAPPENED TO THE 1+ MILLION CHILDREN WHO HAVE LOST MEDICAID/CHIP COVERAGE? (Sept. 4, 2019), <https://ccf.georgetown.edu/2019/09/04/what-has-happened-to-the-1-million-children-who-have-lost-medicaid-chip-coverage/>.

they are the result of the improving economy,³ that is simply not borne out by the evidence. If children were leaving Medicaid and CHIP and finding coverage elsewhere, then the number and percent of uninsured children would go down. There would also be a shift in the sources of coverage, showing a greater percentage of children with private and employer-sponsored insurance. This is simply not the case. As stated in the U.S. Census Bureau's findings, "the percentage of people with private coverage did not statistically change."⁴ Instead, 400,000 more children are uninsured since last year, reversing decades of progress towards covering more children. These historic coverage losses have occurred under your leadership, and should not be celebrated with misleading claims.

We believe that these historic coverage losses among children are the result of overly burdensome and faulty eligibility and renewal processes, diminished resources for outreach and enrollment assistance, and policies that instill fear and confusion among immigrant and mixed status families, such as the Department of Homeland Security's public charge rule, that are leaving eligible children without the coverage they need.⁵

The Department of Health and Human Services (HHS) in coordination with the Centers for Medicare & Medicaid Services (CMS) must take immediate action to ensure that all eligible children are enrolled in Medicaid and CHIP. Please respond by November 30, 2019 with a detailed explanation of the specific actions HHS is taking to address these unprecedented coverage declines and increase Medicaid and CHIP child enrollment to once again reduce the share of children without health coverage.

In addition, in order to oversee your administration of a program that tens of millions of children rely on for their health and well-being, please also provide the following by November 30, 2019:

1. All briefing materials, including memoranda, PowerPoint presentations, or emails, relating to the decline in children's enrollment in Medicaid and CHIP.
2. A timeline indicating when you became aware that there was a decline in children's enrollment in Medicaid and CHIP, and specific action CMS took in response.
3. All analysis performed in support of your assertion that children who have lost Medicaid and CHIP coverage gained coverage elsewhere.

³ Administrator Seema Verma (@SeemaCMS) Twitter (Apr. 25, 2019 2:17pm), <https://twitter.com/SeemaCMS/status/1121478298561912832>.

⁴ See *supra* note 1.

⁵ KAISER FAMILY FOUND., ANALYSIS OF RECENT DECLINES IN MEDICAID AND CHIP ENROLLMENT, *available at* <https://www.kff.org/medicaid/fact-sheet/analysis-of-recent-declines-in-medicare-and-chip-enrollment/>.

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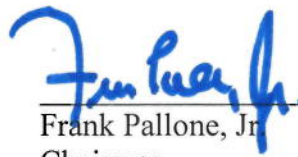
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4. A description of the steps CMS plans to take to reverse the historic increase in children's coverage losses in Medicaid and CHIP.

Sincerely,



Ron Wyden
Ranking Member
Senate Committee on Finance



Frank Pallone, Jr.
Chairman
House Energy and Commerce Committee