October 3, 2022

The Honorable Chuck Schumer  The Honorable Mitch McConnell
Senate Majority Leader  Senate Minority Leader
322 Hart Senate Office Building  317 Russell Senate Office Building
Washington, DC 20510  Washington, DC 20510

The Honorable Nancy Pelosi  The Honorable Kevin McCarthy
Speaker of the House  House Minority Leader
235 Cannon House Office Building  2468 Rayburn House Office Building
Washington, DC 20515  Washington, DC 20515

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi, and Leader McCarthy:

We are writing as advocates for children, particularly children with complex medical conditions, to urge you to pass the Accelerating Kids’ Access to Care Act (H.R. 3089/S. 1544) in an end-of-year package this year. This bipartisan legislation led by Congresswomen Katherine Clark (D-MA) and Jaime Herrera Beutler (R-WA) and Senators Michael Bennet (D-CO) and Charles Grassley (R-IA) will help ensure children on Medicaid or the Children’s Health Insurance Program (CHIP) who require care from providers located outside of their home states will not face unnecessary delays in accessing time-sensitive and essential care.

When a child enrolled in Medicaid or CHIP has clinical needs that cannot be met by providers in his or her home state, the State Medicaid Agency (SMA) and/or Medicaid Managed Care Organization (MCO) in concert with the child’s health care provider will determine if that care needs to be delivered out-of-state. When this occurs, the out-of-state provider needs to be screened and subsequently enrolled in the Medicaid program of the child’s home state. While states do have the ability to use provider screenings done by other states or by Medicare, there exists no formal process to facilitate a streamlined screening, meaning that providers regularly spend an immense amount of time to address enrollment requirements, which vary significantly by state. When delays in that enrollment occur, access to care is delayed and the child’s health situation may worsen.

The Accelerating Kids’ Access to Care Act seeks to address this problem in a commonsense way that balances access to care with program integrity needs. The proposal will establish a screening pathway that children’s hospitals and related providers can utilize on a voluntary basis for expedited enrollment given the providers’ existing enrollment in their own state, allowing providers to expeditiously step in to provide essential care to children with cancer when called upon. This expedited pathway will better facilitate access to critical, time-sensitive treatment and reduce the risk of care disruption and subsequent negative outcomes. The legislation builds upon existing CMS activities, including an ongoing multi-state pilot in which CMS is screening providers via the Advanced Provider Screening System and is also consistent with ongoing efforts to reduce regulatory burdens in health care. It is also consistent with actions CMS has taken via the COVID-19 public health emergency (PHE) waivers to permit states to waive such requirements during the emergency. Finally, the legislation pertains only to provider screening and enrollment and does not change the authority states have to authorize out-of-state care or negotiate payment with providers who accept such cases.
This bill enjoys strong bipartisan support and is cosponsored by more than 90 House members and by more than 20 Senators. It has received technical assistance (TA) from CMS and the Department of Health and Human Services, and a modified version of the legislation to reflect the TA was included in the Senate Finance Committee’s youth mental health draft legislation. We are grateful for this progress and hope this legislation will be enacted this year.

Our organizations advocate or directly care for children with complex health conditions, including children on Medicaid and CHIP. We understand the importance of having access to specialized care, including care that may be located in another state. We urge Congress to advance and enact the **Accelerating Kids’ Access to Care Act in an end of year package this year.** Thank you for giving this your fullest consideration. If you have any questions, please contact any of us or Nick Manetto at nicholas.manetto@faegredrinker.com.

Sincerely,

1Voice Foundation  
3/32 Foundation  
Academy of Oncology Nurse & Patient Navigators (AONN)  
AIDS Alliance for Women, Infants, Children, Youth & Families  
Alexa Nawrocki Pediatric Cancer Foundation  
Alex's Army Childhood Cancer Foundation  
Along Comes Hope  
American Academy of Pediatrics  
American Association for Cancer Research  
American Cancer Society Cancer Action Network  
American Childhood Cancer Organization  
American Heart Association  
American Lung Association  
Academic Pediatric Association  
American Pediatric Society  
American Society of Pediatric Hematology/Oncology  
Angels for Change  
Ann & Robert H. Lurie Children's Hospital of Chicago  
Aplastic Anemia & MDS International Foundation  
Ara Parseghian Medical Research Fund  
Arms Wide Open Childhood Cancer Foundation  
Association of Medical School Pediatric Department Chairs  
Association of Oncology Social Work  
Association of Pediatric Hematology/Oncology Nurses  
Bald Beauties Project  
Band of Parents  
Battlecorn Care Packages  
Beads of Courage  
Benjamin's Hope for the Future  
Blank Children's Hospital  
Boston Children's Hospital  
Brantley Francis Foundation  
Caleb's Crusade Against Childhood Cancer
Cancer Support Community
CancerCare
Child Neurology Foundation
Childhood Cancer Awareness Group of Coffee County
Children's Cancer Research Fund
Children's Brain Tumor Foundation
Children's Cancer Cause
Children's Hospital Association
Children's Hospital Colorado
Children's Hospital of Philadelphia
Children's Wisconsin
ChildServe
Chris Lantos Foundation
Cincinnati Children's Hospital Medical Center
Cory's Project
CURE
Cystic Fibrosis Foundation
Dance Hope Cure
Daniela Conte Foundation
Eosinophilic Family Coalition
Epilepsy Foundation
EveryLife Foundation for Rare Diseases
Family Voices
Family Voices
Finns Fighters
Glimmer of Hope Foundation
Grandparents in Action
Hematology/Oncology Pharmacy Association
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HOPE FASTER
JDRF
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Kate's Cause
KidneyCAN
KIDS NEED MoRE
Kids v. Cancer
Kylie Rowand Foundation
Lily LaRue Foundation
Liv Like a Unicorn
Livestrong
Lupus Foundation of America
Martin Truex Jr Foundation
Mended Little Hearts
Men's Health Network
Mia's Militia
Muscular Dystrophy Association
Mystic Force Foundation
National Brain Tumor Society
National Cancer Registrars Association
National Eczema Association
National Kidney Foundation
National Organization for Rare Disorders
National Pancreas Foundation
Nemours Children's Health
Olivia Boccuzzi Foundation, Inc.
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Parent Project Muscular Dystrophy
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Rally Foundation for Childhood Cancer Research
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The Golden Lights Foundation
The Leukemia & Lymphoma Society
The Mary Ruchalski Foundation
The Truth 365
The Wes Strong Foundation
Trent's Retreat
Triage Cancer
TSC Alliance
University of Iowa Stead Family Children's Hospital

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