

July 20, 2020

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

Re: Request for Action on Pending Section 1115 Demonstrations to Reduce Racial Disparities

Dear Secretary Azar,

The 279 undersigned organizations, which include Medicaid advocates, patient groups, and provider organizations, are writing to urge you to take action on certain pending section 1115 demonstrations to address racial disparities and years of systematic racism. One consequence of the systemic racism highlighted by the pandemic and nationwide protests against racial inequality and injustices is the health disparities faced by Black people in general, and Black women in particular. Medicaid, which provides coverage for over 70 million people with low incomes who -- due to systemic racism and barriers to care -- are disproportionately people of color, has an unmatched opportunity to reduce these disparities. We urge you to take two immediate steps with respect to Medicaid section 1115 demonstrations that will work to mitigate racial disparities rather than making them worse.

First, to avoid policies that increase racial disparities, it is imperative that you ensure that section 1115 demonstrations do no harm. In particular, *we ask you to immediately reject pending proposals to impose punitive work requirements on parents with very low incomes in Alabama, Mississippi, Oklahoma, Tennessee, and South Dakota*. In comments on these demonstrations and previous letters to you, many of us have pointed out that these proposals exclusively target very poor parents, who are mostly women with loss of their health insurance and that they also threaten children's well-being.<sup>1</sup> Data from two states with pending requests underscore how these punitive proposals put Black families at risk: In Mississippi, 71 percent of the parents who would be at risk of losing their health insurance are Black, as compared to 37 percent of the state's population.<sup>2</sup> In Alabama, 58 percent of the parents affected are Black, compared to 26.5 percent of the state's population.<sup>3</sup> Imposing work requirements on these parents is bad policy in the best of times, but it is unconscionable in the midst of a pandemic, a deep recession, and widespread recognition of structural racism.

Second, to enable Medicaid to do more to reduce racial disparities, we urge you to swiftly approve pending and future state section 1115 demonstration proposals to extend postpartum coverage to reduce maternal and infant mortality. As you know, maternal mortality is on the rise in the United States, and Black women are three to four times more likely to die from a pregnancy-related death than white women. It is estimated that one-third of these deaths occur between 1 week and 12

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<sup>1</sup> American Academy of Pediatrics et al, "Re: Requests to Impose Work-Reporting Requirements on Very Low-Income Parents." Received by Secretary Alex Azar, March 6, 2019, <https://ccf.georgetown.edu/wp-content/uploads/2019/03/Impact-of-work-requirements-on-parents-and-families-3-6-19-11.pdf>.

<sup>2</sup> Joan Alker et al, "How Mississippi's Proposed Medicaid Work Requirement Would Affect Low-Income Families with Children," Georgetown University Center for Children and Families, August 2018, <https://ccf.georgetown.edu/wp-content/uploads/2018/10/MS-work-requirements-update-rev-10-5.pdf>.

<sup>3</sup> Joan Alker et al, "The Impact of Alabama's Proposed Medicaid Work Requirement on Low-Income Families with Children," Georgetown University Center for Children and Families, August 2018, <https://ccf.georgetown.edu/wp-content/uploads/2018/03/AL-Work-Requirements-update-8-18.pdf>.

months after delivery. While Medicaid already plays a vital role in reducing maternal health disparities by paying for two thirds of all births to Black women and ensuring access to care, extending coverage up to one full year after delivery would guarantee continuous coverage when women are still at high risk for pregnancy-related complications and death. There are several states who are committed to addressing maternal health disparities and whose waivers should be approved. Illinois, which has a pending request to extend Medicaid postpartum coverage to twelve months, has *maternal mortality rates that are a shocking six times higher for Black women as compared to White women*. Illinois, New Jersey (which also has a pending request), and other states should be given the opportunity to test whether extending Medicaid coverage can reduce the maternal death rate for populations at highest risk, including women with low incomes and communities of color.

Section 1115 demonstrations can be a force for health equity rather than a way to perpetuate structural racism. The Department of Health & Human Services has the power to change their current trajectory. We urge you to do so.

If you need any additional information, please contact Joan Alker at [jca25@georgetown.edu](mailto:jca25@georgetown.edu).

CC: Seema Verma, Judith Cash

### **National Organizations**

A Better Balance  
Academic Pediatric Association  
AFL-CIO  
AIDS Alliance for Women, Infants, Children, Youth & Families  
Alliance for Early Success  
American Academy of Pediatrics  
American Cancer Society Cancer Action Network  
American College of Obstetricians and Gynecologists  
American College of Physicians  
American Heart Association  
American Liver Foundation  
American Lung Association  
American Osteopathic Association  
American Pediatric Society  
American Physical Therapy Association  
Arthritis Foundation  
Asian and Pacific Islander American Health Forum  
Association of Medical School Pediatric Department Chairs  
Association of University Centers on Disabilities  
Association of Women's Health, Obstetric and Neonatal Nurses  
Autistic Self Advocacy Network  
Black Mamas Matter Alliance  
Center for Children's Initiatives  
Center for Law and Social Policy  
Center for Reproductive Rights  
Center for the Study of Social Policy  
Center on Budget and Policy Priorities  
Children's Defense Fund

Children's Health Fund  
Community Catalyst  
Corporation for Supportive Housing  
Crohn's & Colitis Foundation  
Disability Rights Education and Defense Fund  
Epilepsy Foundation  
Essential Access Health  
Every Mother Counts  
Families USA  
Family Voices  
First Focus on Children  
Georgetown University Center for Children and Families  
Guttmacher Institute  
HealthNet  
HealthyWomen  
Hemophilia Federation of America  
HOPES CAP, Inc.  
Johnson & Johnson  
Justice in Aging  
Legal Action Center  
Legal Voice  
March for Moms  
March of Dimes  
Maternity Care Coalition  
Melinated Moms  
Mended Hearts & Mended Little Hearts  
Mental Health America  
Mom Congress  
MomsRising  
NAACP  
NARAL Pro-Choice America  
National Alliance of State and Territorial AIDS Directors  
National Asian Pacific American Women's Forum  
National Association for Children's Behavioral Health  
National Association of Community Health Centers  
National Association of Pediatric Nurse Practitioners  
National Birth Equity Collaborative  
National Black Women's HIV/AIDS Network  
National Center for Children in Poverty  
National Center for Law and Economic Justice  
National Council on Independent Living  
National Employment Law Project  
National Family Planning & Reproductive Health Association  
National Health Care for the Homeless Council  
National Immigration Law Center  
National Institute for Children's Health Quality  
National Organization for Rare Disorders  
National Partnership for Women & Families

National Patient Advocate Foundation  
National Psoriasis Foundation  
National Urban League  
National Women's Law Center  
NETWORK Lobby for Catholic Social Justice  
Partnership for America's Children  
Pediatric Policy Council  
PFLAG National  
Preeclampsia Foundation  
Primary Care Development Corporation  
Pulmonary Hypertension Association  
Raising Women's Voices for the Health Care We Need  
Restoring Our Own Through Transformation  
Service Employees International Union  
Society for Adolescent Health and Medicine  
Society for Pediatric Research  
Society for Women's Health Research  
SPAN Parent Advocacy Network  
Spinning Babies®  
The AIDS Institute  
The Arc of the United States  
The Chocolate Milk Cafe National  
The Jewish Federations of North America  
The National Alliance to Advance Adolescent Health  
The Ounce of Prevention Fund  
The Southern Poverty Law Center  
The Women's Centers  
UnidosUS  
Union for Reform Judaism  
United Way Worldwide  
Women of Reform Judaism  
WomenHeart: The National Coalition for Women with Heart Disease  
Young Invincibles  
ZERO TO THREE  
1,000 Days  
9to5, National Association of Working Women

### **State Organizations and Individuals**

Academy of Family Physicians – Alabama  
Academy of Family Physicians – Illinois  
Advocacy Action Network (Kentucky)  
Advocates for Children of New Jersey  
African American Babies Integrated High Risk Pregnancy Initiative (Minnesota)  
AIDS Alabama  
AIDS Foundation Chicago (Illinois)  
Alabama Arise  
Alaska Children's Trust  
Allies for Children (Pennsylvania)

American Academy of Pediatrics – Florida Chapter  
American Academy of Pediatrics – Illinois Chapter  
American Academy of Pediatrics – Mississippi Chapter  
American Academy of Pediatrics – New Jersey Chapter  
American Academy of Pediatrics – Tennessee Chapter  
American College of Obstetricians and Gynecologists –Illinois Section  
American College of Obstetricians and Gynecologists – New Jersey Section  
American College of Obstetricians and Gynecologists – Oklahoma Section  
Ann Marie Sailsman, Adjunct Clinical Associate Professor, Pace University  
Any Baby Can (Texas)  
Arkansas Advocates for Children and Families  
Baby, Please Birth Services (New Jersey)  
Beckett Family Consultant  
BLB Productions  
Brick Education Network (New Jersey)  
Camden Coalition of Healthcare Providers (New Jersey)  
Center for Autism and Early Childhood Mental Health at Montclair State University (New Jersey)  
Center for Health Law and Policy Innovation, Harvard Law School (Massachusetts)  
Central Jersey Family Health Consortium (New Jersey)  
Chicago Public Schools, Office of Student Health and Wellness (Illinois)  
Child and Family Policy Center (Iowa)  
Children's Advocacy Alliance (Nevada)  
Children's Defense Fund - New York  
Children's Home & Aid (Illinois)  
Children's Institute (Oregon)  
Children's Action Alliance (Arizona)  
Circle Up, United Methodist Women (Texas)  
Citizens' Committee for Children of New York  
City of Newark Office of Comprehensive Community Education (New Jersey)  
Clinton Hill Community Action (New Jersey)  
Colorado Children's Campaign  
Community Health Acceleration Partnership  
Community Health Council of Wyandotte County (Kansas)  
Community Service Society of NY  
Denise V Rodgers, Vice Chancellor for Interpersonal Programs, Rutgers University  
Enlace Chicago (Illinois)  
Equal Hope (Illinois)  
Erica Crawley, State Representative for Ohio's 26th House District  
Erie Family Health Centers (Illinois)  
EverThrive Illinois  
Every Texan (formerly Center for Public Policy Priorities)  
Faith in Action Alabama  
Fall Injury Prevention and Rehabilitation Services (Alabama)  
Family Connections (New Jersey)  
Family Promise of Essex County (New Jersey)  
Family Voices of New Jersey  
First3Years (Texas)  
Florida Health Justice Project

Florida Policy Institute  
Gateway Community Action Partnership (New Jersey)  
GEEARS: Georgia Early Education Alliance for Ready Students  
Georgians for a Healthy Future  
Giving Birth and Being Born Initiative, Montclair State University  
Greater Newark Health Care Coalition (New Jersey)  
Green Space Learning (Texas)  
Health & Medicine Policy Research Group (Illinois)  
Health Care for All New York  
Health Federation of Philadelphia  
Healthy Illinois Campaign  
Healthy Mothers, Healthy Babies Coalition of Georgia  
Illinois Action for Children  
Illinois Primary Health Care Association  
Illinois Public Health Association  
Independence: A Family of Services, Inc. (New Jersey)  
Integrated Care for High Risk Pregnancies  
Integrity House (New Jersey)  
Iowa Association of Nurse Practitioners  
Jackson Safer Childbirth Experience (Mississippi)  
Johnson Group Consulting, Inc.  
Kaleena Berryman, Preemie Parents Club  
Kansas Action for Children  
Kansas Breastfeeding Coalition  
Kentucky Center for Economic Policy  
Kentucky Coalition Against Domestic Violence  
Kentucky Equal Justice Center  
Kentucky Voices for Health  
Kids Forward (Wisconsin)  
Kids Win Missouri  
Lake County Health Department and Community Health Center (Illinois)  
Legal Council for Health Justice (Illinois)  
Lutheran Office for Public Policy in Wisconsin  
Madison-area Urban Ministry (dba JustDane) (Wisconsin)  
Maine Equal Justice  
Maternal and Child Health Access (California)  
Medical Advocacy & Outreach (Alabama)  
Michelle Browne, Attorney at Law  
Michigan Alliance for Innovation on Maternal Health, excluding government associated members  
Michigan Council for Maternal and Child Health  
Minnesota Prenatal to Three Coalition  
Mississippi Center for Justice  
Mississippi Health Advocacy Program  
Mississippi Low Income Child Care Initiative  
National Association of Pediatric Nurse Practitioners – Alabama Chapter  
National Association of Pediatric Nurse Practitioners – Georgia Chapter  
National Association of Pediatric Nurse Practitioners – Greater New York Chapter  
National Association of Pediatric Nurse Practitioners – Illinois Chapter

National Association of Pediatric Nurse Practitioners – Massachusetts Chapter  
National Association of Pediatric Nurse Practitioners – Minnesota Chapter  
National Association of Pediatric Nurse Practitioners – New Jersey Chapter  
National Association of Pediatric Nurse Practitioners – North Carolina Chapter  
National Association of Pediatric Nurse Practitioners – Ohio Chapter  
National Association of Pediatric Nurse Practitioners – Pennsylvania Delaware Valley Chapter  
National Association of Pediatric Nurse Practitioners – San Francisco Bay Area Chapter  
National Association of Pediatric Nurse Practitioners – Western New York Chapter  
NBC Community Development Corporation (Kansas)  
NC Child  
New Jersey Association of Black Psychologists  
New Jersey Black Women Physicians Association  
New Jersey Head Start Association  
New Jersey Health Care Quality Institute  
Newark Department of Health & Community Wellness (New Jersey)  
Newark Trust for Education (New Jersey)  
Oklahoma Institute for Child Advocacy  
Open Paths Counseling Center (California)  
Our Children Oregon  
PACER Center (Minnesota)  
Partners for Our Children (Washington)  
PAVE Family Voices of Washington  
PediPlace (Texas)  
Pennsylvania Head Start Association  
Prevent Child Abuse New Jersey  
Public Justice Center (Maryland)  
Rhode Island KIDS COUNT  
Rutgers School of Public Health (New Jersey)  
Safiya Bashir LPC LLC (New Jersey)  
Saint James Health, Inc (New Jersey)  
Sargent Shriver National Center on Poverty Law (Illinois)  
Six Dimensions (Mississippi)  
South Carolina Appleseed Legal Justice Center  
South Ward Children's Alliance (New Jersey)  
St. Michael's Medical Clinic (Alabama)  
Summit Medical Group (New Jersey)  
Sylvia Law, Professor Emerita NYU Law School  
Tennessee Justice Center  
Texans Care for Children  
Texas Parent to Parent  
Texas Pediatric Society  
TexProtects (Texas)  
The Children's Partnership (California)  
The Cultural Wellness Center (Minnesota)  
The Gregory Thomas Foundation (New Jersey)  
The Knights & Orchids Society (Alabama)  
The Springboard Group, LLC  
Thresholds (Illinois)

Trilogy Behavioral Healthcare (Illinois)  
United Way for Greater Austin (Texas)  
United Way for Greater Newark (New Jersey)  
United Way of Metropolitan Dallas (Texas)  
United Ways of Texas  
Visiting Nurse Association of Central Jersey (New Jersey)  
Voices for Children of San Antonio (Texas)  
Volunteer Lawyers for Justice (New Jersey)  
West Central Initiative (Minnesota)  
West Virginians for Affordable Health Care  
Wisconsin Faith Voices for Justice  
Zadie's of the Oranges (New Jersey)  
4CS of Passaic County (New Jersey)