

May 11, 2021

The Honorable Ron Wyden
Chairman
Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Mike Crapo
Ranking Member
Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Frank Pallone
Chairman
Committee on Energy & Commerce
United States Congress
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Cathy McMorris Rodgers
Ranking Member
Committee on Energy & Congress
United States Congress
2322 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Wyden and Ranking Member Crapo and Chairman Pallone and Ranking Member McMorris Rodgers

We are writing as advocates for children, particularly children with complex conditions, to **urge that you enact the Accelerating Kids' Access to Care Act** 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 such 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 healthcare provider will determine 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. Under current law, states have the ability to use provider screenings done by other states or by Medicare. However, there exists no process to facilitate a streamlined screening, meaning that more often than not providers expend significant amounts of time to address these requirements, which vary significantly between states. When this happens, access to care is delayed and, in some cases, the child's health situation worsens.

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. If providers opt to use this pathway and are screened successfully, they can be enrolled in other state Medicaid programs if called upon to provide care to children. Eligible providers will

be limited to those providing care for children or, in limited cases, to people over the age of 18 who are being treated for a condition that developed prior to age 18.

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 healthcare. It is 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 and negotiate payment with providers who accept such cases.

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 and particularly your committees to advance and enact the **Accelerating Kids Access to Care Act** 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 or 202.312.7499.

Sincerely,

1Voice Foundation

3/32 Foundation

Alexa Nawrocki Pediatric Cancer Foundation

Alex's Army Childhood Cancer Foundation

Along Comes Hope

American Academy of Pediatrics

American Pediatric Association

American Pediatric Society

Angels for Change

Ann & Robert H. Lurie Children's Hospital of Chicago

Ara Parseghian Medical Research Fund

Arms Wide Open Childhood Cancer Foundation

Association of Medical School Pediatric Department Chairs (AMSPDC)

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
Candlelighters NYC**

Children's Hospital Association

Children's Hospital Colorado

Children's Hospital of Philadelphia

Children's Wisconsin

**Childhood Cancer Awareness Group of
Coffee County**

ChildServe

Chris Lantos Foundation

**Cincinnati Children's Hospital Medical
Center**

Cory's Project

CURED

Dance Hope Cure

Daniela Conte Foundation

Eosinophilic Family Coalition

EveryLife Foundation for Rare Diseases

Family Voices

Finns Fighters

Glimmer of Hope Foundation

Grandparents in Action

HOPE FASTER

**Iowa Pediatric Healthcare Collaborative
Johnny Volpe's Childhood Cancer
Awareness Page
Journey4ACure
Kate's Cause
KiDS NEED MoRE
Kids v. Cancer
Kylie Rowand Foundation
Lily LaRue Foundation
Liv Like a Unicorn
Mia's Militia
Mystic Force Foundation
National Association of Behavioral Health
National Organization for Rare Disorders
Olivia Boccuzzi Foundation, Inc.
Our Amazing Fighters
Parent Project Muscular Dystrophy
Pediatric Policy Council
Sadie Keller Foundation
Seattle Children's**

**Smiley for Kylie
Society for Pediatric Research
Spina Bifida Association
SSM Health – Cardinal Glennon Children's
Hospital
Stillbrave
Swirls Around the World Foundation
Team Mathias
Texas Children's Hospital
The Alexander Munoz Memorial Fund
The Blue Lollipop Project
The EVAN Foundation
The Golden Lights Foundation
The Mary Ruchalski Foundation
The Truth 365
The Wes Strong Foundation
Trent's Retreat
University of Iowa Stead Family Children's
Hospital**

CC: The Honorable Charles Grassley
The Honorable Michael Bennet
The Honorable Katherine Clark
The Honorable Jaime Herrera Beutler