OBAMA-BIDEN TRANSITION PROJECT

THIS DOCUMENT WAS PRODUCED BY AN OUTSIDE PARTY AND SUBMITTED TO THE OBAMA-BIDEN TRANSITION PROJECT.

N.A.C.H. Requests on Outstanding Medicaid / SCHIP Administrative Actions

1. Withdraw six damaging Medicaid rules that are currently under moratoria until April 1, 2009. If implemented, these rules would fundamentally threaten the nation's health care safety net. They are:

    a. **CMS 2258-FC (Cost Limits for Public Providers, Use of Intergovernmental Transfers and Certified Public Expenditures):** Insufficient funding for states' share of Medicaid would force states to find new sources of funding or make cuts, which could threaten the financial viability of safety net providers and directly affect children's eligibility and access to vital services.
    b. **CMS 2279-P (Ending Federal Match for Medicaid GME):** Loss of Medicaid GME funding could force children's hospitals to curtail their training programs or other vital clinical and research programs, exacerbating existing shortages of pediatric providers, particularly pediatric subspecialists.
    c. **CMS 2261-P (Limiting Rehabilitative Services):** The regulation does not guarantee that children will continue to receive all medically necessary services, including rehabilitation, as mandated under the Early and Periodic Screening, Diagnostic and Treatment requirement.
    d. **CMS 2287-P (Limiting School-based Administrative Services):** Prohibited services include outreach conducted by school staff and transportation to and from school for disabled children. This would particularly impact children's hospitals that have school programs.
    e. **CMS 2237-IFC (Limiting Case Management Services):** This rule limits on the duration of case management services could be particularly problematic for children with complex medical conditions who need substantial case management assistance to transition back to their home or another community setting.
    f. **CMS 2275-P (Limiting Provider Taxes):** The rule would make it harder for states to finance their share of Medicaid spending.

2. **Request that Congress Repeal CMS 2213 (Limiting Outpatient Hospital Services):** The rule went into effect on Dec. 8, 2008. This narrowed definition of reimbursable outpatient services is inappropriate for children and does not include services that address their specific health care needs, such as dental and vision services, annual checkups, and immunizations.

3. **Withdraw SCHIP's "August 17th Directive."** The directive limits states' abilities to expand SCHIP beyond 250 percent of the federal poverty level unless they meet stringent criteria, including a requirement that states establish a minimum one year period of uninsurance before children can enroll in coverage.