

Congress of the United States
Washington, DC 20510

December 18, 2014

The Honorable Marilyn Tavenner
Administrator
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
Room 445-G, Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Administrator Tavenner:

We write to request that you extend TennCare's waiver approval from earlier this year to include continuing funds for the Essential Hospital Access payments to extend current funding levels for the remainder of the underlying TennCare waiver in the absence of Tennessee Medicaid disproportionate share hospital (DSH) program funding. We are deeply committed to restoring Tennessee's DSH funding, as our state is the only in the nation without permanent access to these dollars.

The Medicaid DSH program is vital to Tennesseans who rely on our state's hospitals for health care. Tennessee hospitals are an integral part of their communities, providing \$950 million in charity care and \$720 million in unreimbursed costs in 2013. Unlike hospitals in every other state, Tennessee hospitals are unable to offset these expenses with the help of the Medicaid DSH program.

To resolve the matter, TennCare has requested your assistance in securing funding through the waiver amendment. Our hospitals have operated with temporary funding from Congress, and the most recent patch expired on September 30, 2013. Despite the looming financial uncertainty, our hospitals have continued to provide quality care for our state's most vulnerable populations.

As Members of Congress, we have worked together as a bipartisan delegation with the Senate Finance Committee, the House Ways and Means Committee, the House Energy and Commerce Committee, and most recently, the Senate and House Appropriations Committees, to secure support for Tennessee hospitals reliant on this program which is evident by the six partial patches included in six laws.

The Consolidated and Further Continuing Appropriations Act, which was passed by Congress and signed into law by the President on December 16, 2014, includes language that strongly urges the continuation of the waiver amendment for a longer period of time in order to allow for Congress to adopt a permanent solution for our state. To that end, we are committed to advancing a permanent solution in the next Congress and have worked collectively to insert language in the House Ways and Means Hospital Improvements for Payment Act of 2014.

We request the Department of Health and Human Services and the Centers for Medicare and Medicaid Services to act immediately on TennCare's waiver to prevent any lapse in funding which would threaten our health care providers. As previously communicated, this waiver request and the EAH payment provision are imperative to preserving access to health care in our state.

We are committed to resolving this issue and remain available to work with you on the solution. We look forward to your response on this important matter.

Sincerely,



Lamar Alexander
United States Senator



Bob Corker
United States Senator



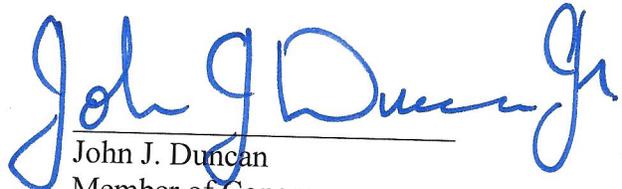
Diane Black
Member of Congress



Marsha Blackburn
Member of Congress



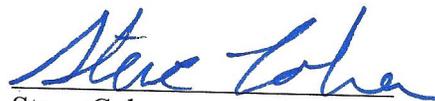
Phil Roe
Member of Congress



John J. Duncan
Member of Congress



Chuck Fleischmann
Member of Congress



Steve Cohen
Member of Congress



Jim Cooper
Member of Congress

Cc: The Honorable Sylvia Burwell, Secretary, U.S. Department of Health and Human Services