

October 3, 2022

The Honorable Chuck Schumer  
Senate Majority Leader  
322 Hart Senate Office Building  
Washington, DC 20510

The Honorable Mitch McConnell  
Senate Minority Leader  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker of the House  
235 Cannon House Office Building  
Washington, DC 20515

The Honorable Kevin McCarthy  
House Minority Leader  
2468 Rayburn House Office Building  
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](mailto: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  
CURED  
Cystic Fibrosis Foundation  
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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  
Hemophilia Federation of America  
HOPE FASTER  
JDRF  
Johnny Volpe's Childhood Cancer Awareness Page  
Journey4ACure  
Kate's Cause  
KidneyCAN  
KiDS NEED MoRE  
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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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Pediatric Brain Tumor Foundation  
Pediatric Policy Council  
Rally Foundation for Childhood Cancer Research  
Sadie Keller Foundation  
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Seattle Children's  
SHEPHERD Foundation  
Smiley for Kylie  
Society for Pediatric Research  
Spina Bifida Association  
SSM Health - Cardinal Glennon Children's Hospital  
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St. Jude Children's Research Hospital  
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Swirls Around the World Foundation  
Texas Children's Hospital  
The Alexander Munoz Memorial Fund  
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The Blue Lollipop Project  
The EVAN Foundation  
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

CC: Committee Chairs  
The Honorable Ron Wyden  
The Honorable Mike Crapo  
The Honorable Frank Pallone  
The Honorable Cathy McMorris Rodgers

Bill Sponsors  
The Honorable Charles Grassley  
The Honorable Michael Bennet  
The Honorable Katherine Clark  
The Honorable Jaime Herrera Beutler