

Congress of the United States
Washington, DC 20515

January 14, 2022

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Administrator Brooks-LaSure:

As members of the Georgia Congressional delegation, we write to express our deep concern with the Department of Health and Human Services' (HHS) recent decision to withdraw certain authorities within the State of Georgia's section 1115 demonstration project, "Georgia Pathways to Coverage," that would require work-related activities as a condition of Medicaid eligibility for its residents. Not only is this an inappropriate overreach by the federal government into an issue that has been within the purview of states to exercise discretion since 2018, but it is also incredibly counterproductive given that so many businesses are desperate for workers.

The most recent *Job Openings and Labor Turnover Summary* report¹ from the U.S. Bureau of Labor Statistics showed 10.6 million job openings for November of 2021. While it is reasonable to suggest there are several factors that have led to the alarming number of job openings and lax labor force participation rate, it is certainly disingenuous for the administration to suggest² that a justification for withdrawing authorities for Georgia's "qualifying hours and activities" requirement is due to the possibility of Medicaid recipients experiencing difficulty finding work. Georgia Pathways to Coverage³ formed a new eligibility pathway that would extend Medicaid coverage to approximately 50,000 uninsured Georgians while requiring that they meet an hours and activities threshold of 80 hours per month in a qualifying activity such as employment, community service, or education.⁴ This comes at a time when Georgia is at its highest number of employed citizens and lowest unemployment rate in the state's history.⁵ We struggle to see how this new requirement places such an excessive burden on new recipients of Medicaid that it requires HHS to step in and demand that it be removed.

¹ <https://www.bls.gov/news.release/jolts.nr0.htm#>

² <https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/1115/downloads/ga/ga-pathways-to-coverage-12-23-2021-ca.pdf>

³ <https://www.medicaid.gov/medicaid/section-1115-demonstrations/downloads/ga-pathways-to-coverage-pa1.pdf>

⁴ <https://thehill.com/homenews/state-watch/587148-biden-administration-revokes-georgia-medicaid-work-requirements?rl=1>

⁵ <https://dol.georgia.gov/press-releases/2021-12-16/georgia-employs-highest-number-georgians-ever>

The robust economic recovery from the COVID-19 pandemic that we have seen in Georgia and many other states across the country is a testament to the strength of the American work ethic and state governments determined to deploy pro-business and pro-growth policies, as opposed to burdensome mandates long past the point of effectiveness or necessity. We are deeply concerned about the message being sent to hard-working Georgians by this administration and its insistence that maintaining certain minimal work or activity requirements to receive Medicaid benefits is too much to ask of them. It should be a core responsibility of government to enact policies that empower citizens to be independent, productive members of society and to uphold the dignity of work. The administration's assault on work and insistence that it is the responsibility of the federal government to ensure heavy-handed, cradle to grave involvement in the lives of Americans has only served to prolong the negative effects of the pandemic. Further, it only exacerbates the impacts of a sea of "help wanted" signs and empty shelves at American businesses and the raging inflation we have experienced for far too long.


We commend the job Governor Kemp and the Georgia General Assembly have done to lead our state through the COVID-19 pandemic with steady, thoughtful leadership that has ensured Georgians' safety, freedoms, and prosperity are prioritized. The results speak for themselves and should be a model to states across our country. We stand ready to work with the administration on policies that will help us continue to emerge from the pandemic without infringing on Americans' freedoms nor threatening their livelihoods. Unfortunately, this administration has instead demonstrated a consistent dereliction of duty in favor of misguided, onerous executive orders that contain crushing mandates and put ideology over the economy. We should be promoting policies that reward work, not policies that discourage it.

The decision to withdraw authorities within Georgia's section 1115 waiver is yet another example of this style of governance, and we will continue to be vocal in our opposition as it continues. We request that you immediately reinstate the section 1115 waiver. Please respond within 15 days with your decision.

Sincerely,



Barry Loudermilk
Member of Congress



A. Drew Ferguson, IV, DMD
Member of Congress



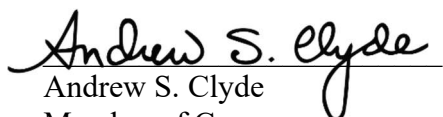
Austin Scott
Member of Congress



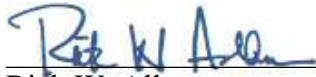
Earl L. "Buddy" Carter
Member of Congress



Marjorie Taylor Greene
Member of Congress



Andrew S. Clyde
Member of Congress



Rick W. Allen
Member of Congress



Jody Hice
Member of Congress