

**Congress of the United States**  
**House of Representatives**  
Washington, D.C. 20515

September 6, 2005

The Honorable Michael O. Leavitt  
Secretary  
Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Leavitt:

As the disaster of Hurricane Katrina continues to reverberate, we are writing to ask that you work with us to make it possible for affected States to make greater use of the Medicaid program to meet the growing health needs of their residents. As New York's efforts after the September 11 attacks have demonstrated, Medicaid is one of the most valuable and responsive tools the State and Federal government have to help those hurt or made ill by these events and to ensure that further injury, illness, public health hazard, and loss of health care are averted.

Specifically, we would ask you to support legislation that would provide full Federal payment for Medicaid to the affected States. Their economies, already poor and struggling to recover from the recession, will be unable to support the regular matching payments needed to provide health care to the tens of thousands who will need it over the coming months. Providing a 100 percent Federal Medical Assistance Percentage (FMAP) provides direct, immediate, and pragmatic assistance to these States and to their residents.

We would also ask you to support legislation that would make all residents of these States who are at or below the Federal poverty level eligible for Medicaid, regardless of their usual categorical eligibility. Both on a humanitarian level and a practical level, it is wrong to pick and choose which poor people in this disaster can get help and which cannot.

In addition, we would ask you to take executive action to assure that States can quickly and generously use their Medicaid programs without fear that Federal second-guessing of expenses will follow. States should be encouraged to accept the applicant's personal declaration of eligibility without fear that a later accounting of error rates will be invoked to penalize them. States should not be subject to audits or penalties if they do not require people to provide documents that they no longer have.

We would also ask that you work with other States to assure that inter-State payment is easily managed. A person who is evacuated from the Superdome in Louisiana to the Astrodome in Texas should be confident that the Federal Government will facilitate and ultimately guarantee

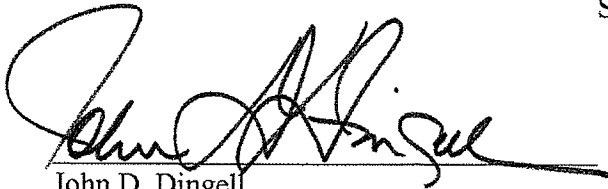
The Honorable Michael O. Leavitt

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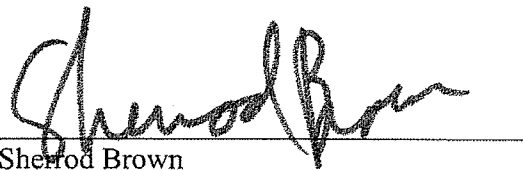
payment for its Louisiana refugees. States should receive guidance on how to deputize their sister States to determine eligibility for displaced residents. A Louisiana family, temporarily sheltered in Texas, should be able to apply for Louisiana Medicaid while housed in Texas through procedures easily accessed in Texas. Alternatively, the Louisiana family could be temporarily enrolled in the Texas program with the same streamlined rules (and 100 percent FMAP) applying.

These are just some of the important steps that should be taken to ease the considerable pain and suffering of the many victims of Hurricane Katrina. We are, of course, ready and willing to work with you to ensure that legislation can be expedited and that the Federal Government will be the best partner it can be in providing help in this disaster.

Sincerely,



John D. Dingell  
Ranking Member  
Committee on Energy and Commerce



Sherrod Brown  
Ranking Member  
Subcommittee on Health  
Committee on Energy and Commerce



Henry A. Waxman  
Ranking Member  
Committee on Government Reform

cc: The Honorable Joe Barton, Chairman  
Committee on Energy and Commerce

The Honorable Nathan Deal, Chairman  
Subcommittee on Health