

United States Senate

WASHINGTON, DC 20510-2101

June 30, 2010

Kathleen Sebelius
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Ave, S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

On April 22 we wrote to you out of concern for the over 900 individuals waiting to receive life-saving treatment through the AIDS Drug Assistance Program (ADAP) administered under the Ryan White program. We are concerned that to date we have not received a response to this inquiry and hope that the lack of a response is not a reflection of the Administration's lack of a commitment to the Ryan White program and the patients it serves.

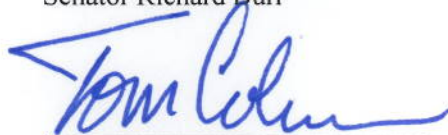
Since our last letter, the number of those waiting for life-saving treatment through ADAP has nearly doubled, and at least one patient has died while on a waiting list. Over the past week, the Administration has spoken about the importance of prevention and testing for HIV/AIDS; yet, in contrast, the Administration has remained noticeably silent on the current ADAP crisis. During this same period, our nation reached a new record: over 1,800 individuals are currently waiting to receive treatment under ADAP. Never before have this many patients been denied access to life-saving medical treatment by the Ryan White program which promises access to vital drug medications for our nation's most vulnerable patients living with HIV/AIDS.

In an effort to provide constructive ideas to this devastating problem, we introduced S. 3401, the ACCESS ADAP Act, which provides \$126 million in unobligated stimulus funds to eliminate waiting lists through Fiscal Year 2010. We are willing to consider other fiscally-responsible strategies to address this urgent problem but have yet to see alternative proposals from the Administration or other members of Congress.

We write to you today to request that you take urgent action to eliminate ADAP waiting lists and undue formulary restrictions. We also expect a response to our request detailing any efforts underway at the Department to make programmatic changes to resolve this issue. We are deeply concerned with the failure to respond to our initial inquiry and would request that you provide a timely response to all pending inquiries by July 9th. The thousands of patients waiting for life-saving treatment through ADAP deserve nothing less.

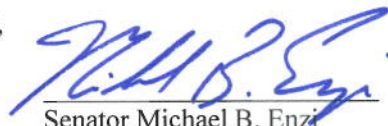


Senator Richard Burr



Senator Tom Coburn

Sincerely,



Senator Michael B. Enzi