



Ms. Stephanie Tatham
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street NW
Washington, D.C. 20503

June 20, 2019

Dear Ms. Tatham et al:

Thank you very much for meeting with the American Network of Community Options and Resources (ANCOR) today to discuss the possible implications of RIN:0938-ZB55, a State Medicaid Director Letter on Medicaid Value and Accountability Demonstration Opportunity. ANCOR is the national trade association for disability service providers representing over 1,600 private providers of disability community services and 57 state provider associations across the country. Our members provide vital services to people with intellectual and developmental disabilities (I/DD) throughout their lifespan, with primary funding coming from the Medicaid Home and Community-Based Services and ICF/IID programs.

While we do not have many details about what is in the pending State Medicaid Director Letter at issue, we have ascertained from various sources including conversations with the Centers for Medicare and Medicaid Services (CMS), from public testimony of HHS Secretary Azar, and from the President's FY2020 Budget Request that the proposal will include a demonstration opportunity, likely through a new Section 1115 waiver structure, to afford states more flexibility with their Medicaid dollars while also tailoring the recipients and potentially capping federal contributions to the program. ANCOR recognizes that there are both challenges and opportunities with providing greater Medicaid flexibility. For HCBS and ICF/IID services, states need greater flexibility to infuse the use of technology in our space, reduce administrative burden of disability service providers, and invest deeply in our workforce crisis. However the

potential of challenges also exists from restricting funding to already deprived I/DD services, forcing disability services to fight with the larger health care sector for limited or capped funding, and not ensuring consistent funding and service delivery as states struggle to balance their budgets each year or every other year translating to different flexibility from year to year.

The challenges will deepen and the opportunities will not be available if our sector does not have an opportunity to weigh in at the front end of this proposed demonstration. There could be irreparable harm if it is rolled out without thinking through the complexities of providing lifelong, often 24/7, disability services. We formally request that guidance is proposed in a way that is made transparent to provide all Americans, including the disability community, the opportunity to weigh in, share our insights and expertise, and hopefully mold it into a successful option for states. We have seen too many instances where the disability community is not taken into account in important policymaking and the result is the policy impacts our sector the first and the worst. What that has led to is failed policies, often requiring government to walk back the original proposal and often having one of the legislative, executive, and judicial branches stepping in to correct a misstep of one of the other branches.

We cannot take one more hit to the fragility of our service system. We implore you to include us in this policymaking and have an opportunity to share our input and help our government meets its goal of effective and high quality Medicaid services while clearly considering the complexities of the many Americans with intellectual and developmental disabilities that are alive because of the current program.

Thank you very much for your time and consideration.

Best,

A handwritten signature in black ink, appearing to read "Esmé Grewal". The signature is fluid and cursive, with the first name "Esmé" written in a larger, more prominent script than the last name "Grewal".

Esmé Grant Grewal, Esq.
Vice President of Government Relations
American Network of Community Options and Resources (ANCOR)
egrewal@ancor.org
202-579-7789