

United States Senate  
WASHINGTON, DC 20510

February 29, 2008

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

Dear Secretary Leavitt:

This week, the Senate passed long-awaited legislation to reauthorize our nation's Indian Health care programs. As you may be aware, the measure included language to prevent the Centers for Medicare and Medicaid Services from implementing an ill-advised change to Medicaid Targeted Case Management benefits. As sponsors of this language, we call on you to move to change this rule before the March 3, 2008 implementation date so it accurately reflects the intent of Congress and the will of the American people.

Targeted case management services aid millions of vulnerable Americans, helping beneficiaries in all stages of life navigate a complicated web of medical and social services and overcome bureaucratic barriers to independence. TCM is a crucial, cost-effective program used to coordinate programmatic assistance for Medicaid beneficiaries with complex needs. Such services include transporting people to and from doctor's appointments, making sure low-income children attend medical and dental appointments, and managing pharmacy services for individuals with severe mental illnesses.

Under the direction of Congress, the Centers for Medicare and Medicaid Services recently issued a new cost-cutting rule on TCM. However, the language proposed by CMS extends far beyond Congressional intent. CMS has overstepped its authority by severely cutting federal funding for children in foster care with complex needs. In addition, the agency proposes to limit home and community-based transition services and make arbitrary changes to administrative billing procedures. These dramatic changes would restrict access to vital services. The limitation of targeted case management will heavily burden the budgets of state and local governments who are now forced to prepare to accommodate this vague and harmful rule.

We hope you agree that this policy would have broad and troubling implications for our most vulnerable men, women, and children. While the Indian Health bill has not been signed into law, we ask that you take into account the Senate's clear message of opposition and stop this rule from going forward. We urge you to work with Congress

on appropriate policy that will protect, rather than harm, the people who rely on these vital services the most.

Sincerely,

Amy Klobuchar

Noah Coleman

Robert C. Menendez

Ben Cardin

George V. Kerasiotes

Ken Salazar

Pete V. Domenici

Mark Warner

Byrd Sanders

Susan M. Collins

Ed Hums

Bob Casey

Bob Casey, Jr.

Hillary Rodham Clinton

John B. King

Pat. Leahy

Zan Harkin

Chuck Schumer