



June 21, 2021

The Honorable Nancy Pelosi  
Speaker of the House  
United States House of Representatives

The Honorable Chuck Schumer  
Senate Majority Leader  
United States Senate

The Honorable Kevin McCarthy  
House Minority Leader  
United States House of Representatives

The Honorable Mitch McConnell  
Senate Minority Leader  
United States Senate

**Re: Closing the Medicaid Coverage Gap**

Dear Congressional Leaders:

We are writing on behalf of national and community-based organizations representing health centers, medical providers, public health professionals, advocates, and people living with HIV, Hepatitis C virus (HCV), and other chronic illnesses and disabilities.

We write to urge Congress to close the Medicaid “coverage gap” that persists in the 12 states that have not adopted the Medicaid expansion under the Affordable Care Act (ACA). According to national estimates, over two million low-income individuals living in these states are both denied access to Medicaid and ineligible for subsidies to purchase private insurance on the ACA Marketplace.<sup>1</sup> This leaves them without access to the care and treatment that would help them remain healthy and stave off disease progression and disability.

HIV demonstrates the cruelty of the coverage gap and the widening disparities it has wrought across Medicaid and non-Medicaid expansion states. With access to regular antiretroviral treatment and care, HIV is not only a manageable health condition, it is impossible to transmit to others. This is why increasing access to HIV care and treatment is a public health priority and at the center of the federal government’s ambitious plan to end the HIV epidemic by 2030.<sup>2</sup>

While Congress has taken steps to encourage Medicaid expansion, it is a solution that depends on state action and political will in states that have shown significant opposition to expansion over the past decade.

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<sup>1</sup> Rachel Garfield, Kendal Orgera, and Anthony Damico, Kaiser Family Foundation, *The Coverage Gap: Uninsured Poor Adults in States that Do Not Expand Medicaid* (2021), available at <https://www.kff.org/medicaid/issue-brief/the-coverage-gap-uninsured-poor-adults-in-states-that-do-not-expand-medicaid/>.

<sup>2</sup> About Ending the HIV Epidemic, Centers for Disease Control and Prevention, available at <https://www.cdc.gov/endhiv/about.html>.

As outlined in a recent publication of the Center for Health Law and Policy Innovation of Harvard Law School, entitled *Filling the Medicaid Coverage Gap: A Federal Policy Priority for People Living with HIV*, there are several additional policy options available to Congress.<sup>3</sup>

Closing the Medicaid coverage gap is a necessary, life-saving policy solution for low-income individuals who were intended by Congress to have been covered under the Medicaid expansion. It would ensure health insurance coverage to the 20% of all people living with HIV who live in non-expansion states.<sup>4</sup>

Simply put, individuals in the Medicaid coverage gap cannot afford to wait for states to opt into the ACA's Medicaid expansion. The quality of life and very survival of those in the Medicaid gap is at risk now. **Congress should act swiftly to close the gap and help make the promise of the federal Ending the HIV Epidemic initiative a reality.**

Submitted by the undersigned organizations:

Advocates for Youth	HIV Dental Alliance
African American Health Alliance	HIV Medicine Association
AIDS Alabama	HIV+Hepatitis Policy Institute
AIDS Alliance for Women, Infants, Children, Youth & Families	Howard Brown Health
AIDS Foundation Chicago	International Association of Providers of AIDS Care
Aliveness Project	John Snow, Inc. (JSI)
American Academy of HIV Medicine	Latinos Salud
APLA Health	National Working Positive Coalition
Black AIDS Institute	Positive Women's Network-USA
CAEAR Coalition	PrEP4ALL
Cascade AIDS Project	R2H Action [Right to Health]
Center for Health Law and Policy Innovation	Ryan White Medical Providers Coalition
Cero VIH Puerto Rico	SisterLove, Inc.
Friends For Life	Southern Black Policy and Advocacy Network, Inc.
Georgia AIDS Coalition	The AIDS Institute
HealthHIV	The Well Project
	Treatment Action Group
	Treatment Access Expansion Project

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<sup>3</sup> Center for Health Law and Policy Innovation, *Filling the Medicaid Coverage Gap: A Federal Policy Priority for People Living with HIV*, available at <https://www.chlpi.org/wp-content/uploads/2013/12/Filling-the-Medicaid-Coverage-Gap.pdf>. Leading proposals range from building off of the existing ACA private health insurance Marketplace, to offering a public, government-funded health insurance option in the Marketplace, to establishing a federally-operated Medicaid plan in non-expansion states.

<sup>4</sup> Lindsey Dawson, Jennifer Kates, Kaiser Family Foundation, *Insurance Coverage and Viral Suppression Among People with HIV*, available at <https://www.kff.org/hiv/aids/issue-brief/insurance-coverage-and-viral-suppression-among-people-with-hiv-2018/>.