

Congress of the United States
Washington, DC 20510

March 4, 2022

Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue, NW
Washington, DC 20201

Dear Administrator Brooks-LaSure:

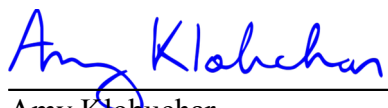
We write to request that the Centers for Medicare and Medicaid Services (CMS) swiftly publish guidance on the intersection of Affordable Care Act (ACA) Section 1332 State Innovation Waivers and state Basic Health Programs (BHPs). More than 166,000 Minnesotans applied for 2022 health coverage through MNsure, the state's individual health insurance exchange. Over 32,000 of that number enrolled in MinnesotaCare, the state's BHP, and other state Medical Assistance programs. The success of the Minnesota marketplace relies on federal resources to support the affordability of MinnesotaCare and plans purchased in the individual market through MNsure.

As you know, on September 22, 2017, the previous administration partially denied Minnesota's Section 1332 State Innovation Waiver regarding MinnesotaCare, the state's Basic Health Program, in part due to Minnesota's decision to create a reinsurance program to lower premiums for consumers in the individual health insurance market. The partial denial by CMS has resulted in Minnesota receiving significantly less annual Basic Health Program funding than expected when Minnesota developed its 1332 waiver in concert with CMS in late 2016.

In correspondence to the Minnesota Departments of Human Services and Commerce dated June 21, 2021, CMS stated its intention to propose and solicit comments on potential approaches to address the intersection of 1332 waivers and Basic Health Programs. Now, nine months later, Minnesota is in the process of renewing its 1332 waiver which sunsets at the end of 2022. Without necessary federal pass-through funding for MinnesotaCare, extending the reinsurance program for Minnesota's individual market to 2025 would cost the state \$280 million in lost federal funding.

In light of the significant consequences that CMS guidance could have for the thousands of Minnesotans who depend on MinnesotaCare, we urge CMS to swiftly publish guidance on the intersection between state BHPs and reinsurance programs.

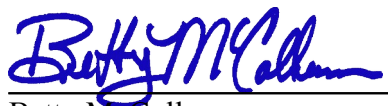
Sincerely,



Amy Klobuchar
United States Senator



Tina Smith
United States Senator



Betty McCollum
Member of Congress



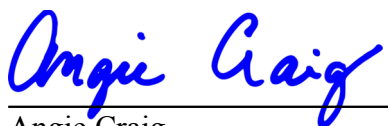
Tom Emmer
Member of Congress



Ilhan Omar
Member of Congress



Dean Phillips
Member of Congress



Angie Craig
Member of Congress



Michelle Fischbach
Member of Congress



Pete Stauber
Member of Congress