

United States Senate

WASHINGTON, DC 20510

November 12, 2013

The Honorable Scott Walker
Governor of Wisconsin
115 East Capitol
Madison, WI 53702

Dear Governor Walker:

I am writing in regards to the 77,000 low-income, working Wisconsin residents whose health coverage expires on January 1, 2014. As a result of your decision to move these individuals off of BadgerCare, these citizens must be enrolled in the federal Health Insurance Marketplace created by the Affordable Care Act (ACA) by December 15 in order to prevent a lapse in coverage at the start of the new year. Your current outreach plan calls for residents who will lose their BadgerCare coverage to receive final notice at the end of November, leaving them just two weeks to enroll or they will lose coverage on January 1. Given the state's current timeline for direct outreach to these individuals, the major issues with the federal government's ACA website, and the fast-approaching deadline, thousands of people are at risk of losing their coverage. Therefore, I am writing to raise this concern and to offer potential options in the hope that we can work together to ensure our constituents maintain the health coverage they need.

Over the past year, I have written to you on a number of occasions regarding the ACA and I have had an opportunity to meet with representatives from the Department of Health Services and the Office of the Commissioner of Insurance. First, I urged you to build a Wisconsin-made, state-based Health Insurance Marketplace for individuals and small businesses. Instead, you chose to rely on the federal government's website. Second, I urged you to seize the opportunity to accept a federal partnership and investment to strengthen our BadgerCare program by expanding Medicaid under the ACA. Our Midwestern neighbors have widely accepted these opportunities. Governors from both parties in Michigan, Iowa, Illinois and Minnesota are supporting the ACA's Medicaid expansion. Instead, you chose to make Wisconsin one of just two states in the nation that are set to kick a large number of individuals off their current Medicaid coverage in 2014. While you have not taken our state down the strongest path, I am committed to working with you to ensure these 77,000 BadgerCare recipients do not lose health coverage on January 1.

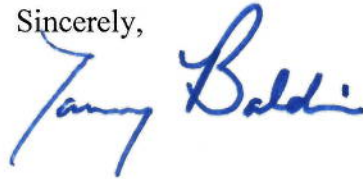
My most recent letter to you outlined problems with the state's outreach to individuals losing their BadgerCare. Since then, the state has made positive improvements, including making phone calls to affected families. I commend you for taking this positive step, yet reaching all of these individuals in a timely manner remains a significant challenge. Furthermore, these residents must enroll through the federal ACA enrollment program and website—www.healthcare.gov—which has been plagued with problems. I am deeply disappointed and extremely frustrated with the website. While the Obama Administration has vowed to fix it as soon as possible, I have called on the Administration to redouble its efforts to ensure that all Wisconsin residents, including the 77,000 BadgerCare recipients facing the December 15 enrollment deadline, have access to coverage through the federal Health Insurance Marketplace.

Because of the transition issues and the fast-approaching December 15 deadline, I am offering a few solutions that you could pursue to help solve this problem. First, I would urge you to alter your current request to the Centers for Medicare & Medicaid Services so that BadgerCare enrollees maintain their current coverage through the end of March. Such a change would extend the deadline that BadgerCare enrollees face today to ensure uninterrupted health security from December 15, 2013 and align it with the deadline for open enrollment on the federal Health Insurance Marketplace—March 31, 2014. To me, this is a commonsense solution that will ensure that individuals receiving BadgerCare today will not lose coverage on January 1, 2014. This solution would give the people we work for more time to enroll, gain access to ACA premium tax credits and cost-sharing subsidies, and eliminate the risk of lost coverage on January 1.

In addition, you could choose to fully expand BadgerCare under the Affordable Care Act—at no cost to the State of Wisconsin—temporarily until March 31, 2014. Such changes would provide the state with a 100 percent federal match for all newly-eligible BadgerCare enrollees. These cost savings would allow you to offset any additional costs of continuing BadgerCare coverage for current enrollees through the end of open enrollment.

I remain committed to working with you and the Obama Administration to ensure that the ACA works for Wisconsin and fixing what does not. I ask that you strongly consider these solutions and I look forward to working together on this shared responsibility.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Baldwin". The signature is written in a cursive, flowing style.

Tammy Baldwin
United States Senator

Cc: The Honorable Kathleen Sebelius, Secretary, U.S. Department of Health and Human Services