

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
APPROPRIATIONS
COMMERCE
HEALTH, EDUCATION,
LABOR, AND PENSIONS

April 3, 2020

Senate Majority Leader Scott Fitzgerald
Room 211 South
P.O. Box 7882
Madison, WI 53707

Assembly Speaker Robin Vos
Room 217 West
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Senate Majority Leader Fitzgerald and Assembly Speaker Vos:

As the nation faces a public health crisis that threatens every facet of daily life, I write to thank you for your service and ask for your continued support. Specifically, I urge you to immediately call the Wisconsin state legislature into a special session in order to pass critical legislation that will better support our state's efforts to fight the outbreak of novel coronavirus, or COVID-19. In this time of crisis, it is vital that elected officials take decisive action. Legislation is necessary in order to ensure that the state of Wisconsin is fully equipped to respond to the challenges ahead.

Over the past three weeks, I have worked with my colleagues and the Trump Administration to support families, workers, small businesses, and health care providers. This includes ensuring that states' Medicaid programs are allowed both the necessary flexibility and funding to address cases of COVID-19 and prepare for possible surges. In March, the Centers for Medicare and Medicaid Services (CMS) provided additional information and a comprehensive checklist to assist states in applying for a waiver under Section 1135 of the Social Security Act. These waivers are specifically made available for major disasters or public health emergencies, and allow the Secretary of the Department of Health and Human Services (HHS) to temporarily waive or modify certain requirements to ensure that sufficient health care items and services are available. The Families First Coronavirus Response Act (P.L. 116-127) included a provision that would provide states with increased Medicaid funding. I was proud to work with my colleague Senator Johnson to include a provision in the CARES Act (P.L. 116-136) to help ensure that Wisconsin is eligible for this important source of funding.

I recognize that federal actions inform the work of the state, however, in combatting a pandemic, time is of the essence. Governor Evers has requested that the state legislature pass a bill which would allow the department of health services to temporarily suspend compliance with s. 49.45

(23b) (b), (c), (d), and (e) and any other conflicting provision of subch. IV of ch. 49 in order to qualify for an enhanced federal medical assistance percentage for the duration of the emergency period declared in response to the novel coronavirus pandemic. He has similarly requested the authority to submit a Section 1135 waiver, and additional Medicaid waivers as necessary. These requests, taken in tandem, will ensure that the state has the ability to work with CMS to guarantee needed flexibilities, and not miss out on an estimated \$150 million per quarter in federal Medicaid funding made available by the Families First Coronavirus Response Act.

Now that Congress has acted, it is time for Wisconsin to take action and ensure our state receives the federal Medicaid funding and flexibility it needs to respond to this crisis. I stand ready to support your efforts, and I will continue working together across party lines to take additional steps to get through this public health crisis, stabilize the economy, and move forward. In order to ensure that our state's health care system, including our Medicaid program, is prepared and supported, I call upon you to immediately convene a special session of the legislature and work with Governor Evers.

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