



**THE FLORIDA SENATE**  
**SENATOR ANDY GARDINER**  
*President*

## MEMORANDUM

**TO:** All Senators  
**FROM:** Andy Gardiner, President  
**SUBJECT:** Update on Governor Scott's Meeting with HHS Secretary Burwell  
**DATE:** May 6, 2015

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To ensure you are informed, I have included a statement released by HHS following Governor Scott's meeting with Secretary Burwell as well as the statement released by Governor Scott's Office. I have also attached the public comments I submitted on behalf of the Senate to AHCA and CMS regarding Florida's application to amend our MMA waiver.

**From HHS:**

FOR IMMEDIATE RELEASE  
May 6, 2015

HHS Readout of Secretary Burwell's Meeting with Florida Governor Rick Scott

Today, Secretary Burwell met with Florida Governor Rick Scott to discuss the importance of access to high quality health care coverage for all Floridians.

As HHS communicated to the state in July 2014, the state's Low Income Pool (LIP), an optional time-limited demonstration program, will not be extended in its current form beyond June 2015. The three principles by which the LIP and other uncompensated care pool proposals will be reviewed are:

- Coverage rather than uncompensated care pools is the best way to secure affordable access to health care for low-income individuals, and uncompensated care pool funding should not pay for costs that would be covered in a Medicaid expansion;
- Medicaid payments should support services provided to beneficiaries and low-income uninsured individuals; and
- Provider payment rates must be sufficient to promote provider participation and access, and should support plans in managing and coordinating care.

Secretary Burwell shared a preliminary view that the proposal currently posted for public comment in Florida falls short of the key principles HHS will use in considering proposals regarding uncompensated care pool programs, and the size of the proposed LIP appears larger than what matches the principles.

HHS is continuing to engage with Florida on the state's LIP proposal, even as the period for public comment in Florida is underway. HHS heard the Governor's request for a timely response to help the state meet its budget timeline. HHS believes completion of the public comment period, on-going discussions with the state, and the state's submission of its proposal to CMS are the next steps in the process.

Regarding Medicaid expansion, Secretary Burwell reaffirmed that whether a state receives federal funding for an uncompensated care pool is not dependent on whether it expands Medicaid and the decision to expand Medicaid, or not, is a state decision. HHS has continuously worked with states interested in expanding Medicaid.

Secretary Burwell urged Governor Scott to consider Medicaid expansion, saying it is an important element to providing access to quality health care and reducing hospital costs that are typically passed on to taxpayers. She reiterated that, if Florida decides to pursue Medicaid expansion, HHS stands ready to work with the state to design a program that would be good for the economy and health of Florida and tailored to Florida's needs.

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**From Governor Scott:**

**FOR IMMEDIATE RELEASE**

May 6, 2015

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**GOV. RICK SCOTT AFTER MEETING WITH HHS: LOW INCOME FAMILIES CANNOT WAIT ON FEDS ANY LONGER**

**WASHINGTON, D.C** – Governor Rick Scott made the following statement today following his meeting with Health and Human (HHS) Services Secretary Sylvia Burwell.

Governor Rick Scott said, "Today, I met with HHS Secretary Burwell and requested that HHS reconsider LIP funding in Florida so the Legislature has the information they need to develop a budget. Before the session, HHS knew our budget timeline and they did not act to keep the LIP program. The federal government should not just completely cut off a federal healthcare program for low income Floridians that has been working for years. That is just wrong for Florida families. We want the HHS Secretary to approve our LIP waiver. That is what we asked her to do today. I hope we made some progress, but we will only have real resolution on this when we get their official approval. We need that approval immediately so we can start a special session and pass a budget.

"If we do not get any answer from CMS in the next few weeks, their inaction is the same as a 'no' and we will prepare to go into a special session to do a base budget that keeps government running. I told her that we need federal action right now. The low income families in our state cannot wait on the federal government any longer."

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