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Congress of the United States
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September 7, 2007

Mr. Kerry Weems
Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Mr. Weems:

I am writing in regard to your letter sent to State Health Officials on August 17th, 2007, establishing the Centers for Medicare and Medicaid Services (CMS) requirements when reviewing State requests to expand eligibility under the State Children's Health Insurance Program (SCHIP).

SCHIP is a program that I have always supported and that has been successful in covering millions of previously uninsured children in low-income families. The reason it has been so successful is because of the flexibility it allowed states in tailoring their programs to the individual needs, economic and otherwise, of the citizens residing in those states.

Unfortunately, I find the new requirements that were detailed in the August 17th letter to be burdensome and restrictive. These requirements limit the same flexibility that has brought so much success to the program and that has helped states to bring quality healthcare to uninsured children.

I am especially concerned about the impact that the following requirements may have on the future of SCHIP in New York:

- Requiring 95% coverage of children below 200% federal poverty level (FPL) before allowing states to expand their programs, and
- Requiring a one-year period without insurance – with no exceptions – before a child would qualify for SCHIP.

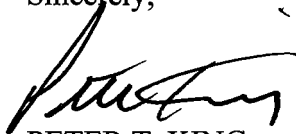
While I agree that each state's program should target the neediest of children living under 200% of the FPL, requiring 95% enrollment will be an impossible criterion to meet in a state as large and varied as New York. This requirement is flawed also given

that enrollment in SCHIP is purely on a volunteer basis and that more than 5% may voluntarily opt out of the program. In addition, a one-year waiting period for children is far too long. If the goal of SCHIP is to cover as many uninsured, low-income children as possible, requiring those children to wait an entire year before receiving health insurance is wrong.

Historically the states, especially New York, have been the driving factor in finding innovative solutions to the healthcare crisis in America. The new, restrictive requirements that CMS is imposing on the states run contrary to the goal of SCHIP and will impair the ability of states to cover as many low-income children as possible. I urge you to reconsider these rules and to restore the flexibility that is so vital to SCHIP.

Thank you for your consideration in this matter. Please feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter T. King", written in a cursive style.

PETER T. KING
Member of Congress