



July 25, 2023

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-2434-P
P. O. Box 8016
Baltimore, MD 21244-1850

Re: Medicaid Program; Misclassification of Drugs, Program Administration and Program Integrity Updates Under the Medicaid Drug Rebate Program

Dear Administrator Brooks-LaSure:

I am writing this letter on behalf of the Southern Christian Leadership Global Policy Initiative to respectfully request the postponement of the proposed rule aimed at advancing policies within the Medicaid Drug Rebate Program.

In the wake of the COVID-19 pandemic, numerous underserved communities are grappling with severe challenges, including the distressing prospect of being removed from the Medicaid rolls. The repercussions of losing Medicaid coverage during these uncertain times are immense and potentially catastrophic for the affected individuals and families. Therefore, it is of utmost importance that CMS direct its immediate attention and resources toward addressing these pressing healthcare coverage concerns.

While we acknowledge the significance of strengthening program integrity and accurate reporting, we believe that the current timing of this proposed rule shows that CMS has misaligned priorities, as millions of Americans are being disenrolled from their Medicaid coverage¹.

By postponing the proposed rule until after the Medicaid redetermination period, CMS can demonstrate its commitment to the well-being of these millions of vulnerable Americans and acknowledge the urgency of the situation they face. During this pause, we encourage CMS to actively seek additional feedback from stakeholders, including individuals and advocacy organizations who represent those most affected by Medicaid coverage challenges. By taking the time to thoroughly assess the potential impact of the proposed rule in light of the current circumstances, CMS can ensure that all perspectives are considered, leading to more effective and informed decision-making.

Thank you for your consideration and continued attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin B. Kimble". The signature is fluid and cursive, with the first and last names being more prominent.

Kevin B. Kimble, Esq.
Founder and Executive Director
SCL Global Policy Initiative

¹ <https://www.kff.org/medicaid/issue-brief/medicaid-enrollment-and-unwinding-tracker/>