



The American College of
Obstetricians and Gynecologists
WOMEN'S HEALTH CARE PHYSICIANS

March 25, 2020

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
U.S. Senate
Washington, DC 20510

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer:

On behalf of the American College of Obstetricians and Gynecologists (ACOG), the Nation's leading women's health organization, representing over 60,000 physicians and partners dedicated to advancing women's health, I write to urge you to uphold the language within the Families First Coronavirus Response Act (Public Law No: 116-127) that ensures states benefiting from enhanced federal matching dollars for the Medicaid program invest those dollars in maintaining and improving patient access to care. The compromise language of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, currently under consideration in the Senate, includes a provision that would weaken the maintenance of effort (MOE) requirements included in the Families First Coronavirus Response Act. **This provision could result in countless Americans, including populations at highest risk for contracting COVID-19, losing access to care.** It would also jeopardize the critical work you have done to address this public health crisis. **We respectfully urge you to remove this provision from the final CARES package.**

Under current law, in order to be eligible for the bump in the federal contribution to state Medicaid budgets included in the Families First Coronavirus Response Act, states are required to abide by certain strictures, including an MOE provision. Under the MOE, and consistent with [guidance](#) released yesterday by the Centers for Medicare and Medicaid Services, states are prohibited from kicking beneficiaries off of coverage during this public health emergency. Now, as Congress considers a third package to address the COVID-19 pandemic, this critical patient protection is in jeopardy. Giving states permission to scale back their Medicaid rolls while receiving enhanced federal dollars creates confusion for states and is antithetical to Congress and the Administration's ongoing efforts to mitigate this crisis.

The COVID-19 pandemic is testing the strength of our health care system and the ability of the government to meet the needs of all Americans. We urge you to remove this harmful provision from the final CARES package to protect critical access to health care in the wake of this public health crisis. We appreciate your responsiveness to this national emergency and look forward to continuing our partnership with you as you rapidly work toward our shared goal of controlling and mitigating the negative impacts of COVID-19.

Sincerely,

Maureen G. Phipps, MD, MPH, FACOG
Chief Executive Officer