

**Congress of the United States**  
Washington, D.C. 20515

September 15, 2021

The Honorable Charles Schumer  
Senate Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Senate Minority Leader  
United States Senate  
Washington, DC 20510

Dear Leader Schumer and Minority Leader McConnell,

We write to respectfully request that the provisions to address the Medicaid coverage gap and provide a fix for non-expansion states in the *Build Back Better Act*, which were recently marked-up and approved by the U.S. House of Representatives, be included in the Senate version of the *Build Back Better Act*.<sup>1</sup>

The House's proposal creates a permanent solution to closing the Medicaid coverage gap and is specifically designed to benefit low-income individuals living in states that have not expanded Medicaid. We are thankful that providing support to Americans in non-expansion states and closing the coverage gap is a top priority, and we believe the House's provisions will provide more Americans with quality, affordable health care coverage. Additionally, this is the most effective policy to reduce racial and ethnic health disparities and would be a major step towards decreasing the high rates of uninsured Americans in non-expansion states. By providing support to individuals living in non-expansion states, we are demonstrating a commitment to advancing racial equity.

The House of Representatives' proposal to address non-expansion states would provide affordable health care to 4.4 million low-income Americans, 60 percent of whom are individuals of color, immediately and permanently.<sup>2</sup> It is critical that the Senate version include the House language, which creates a federal Medicaid-like program based on our bill, *Medicaid Saves Lives Act*, S. 2315, that begins in 2025, along with immediate support to ensure these Americans receive more affordable coverage while the Department of Health and Human Services (HHS) stands up the new program.

This program would provide all the same cost and coverage benefits as Medicaid — benefits that are not available on marketplace plans. Providing permanency would ensure stability for both the program and the individuals enrolled. Premature expiration of this program would limit HHS' and Centers for Medicare & Medicaid Services' (CMS) ability to stand up this program and would have devastating effects on the health and wellbeing of enrollees. As CMS implements this program, we must also provide Americans access to health coverage immediately. Therefore, we further request that the Senate include provisions that expand tax credits below the

---

<sup>1</sup>[https://energycommerce.house.gov/sites/democrats.energycommerce.house.gov/files/documents/Subtitle%20G\\_Medicaid.pdf](https://energycommerce.house.gov/sites/democrats.energycommerce.house.gov/files/documents/Subtitle%20G_Medicaid.pdf)

<sup>2</sup><https://www.rwjf.org/en/library/research/2021/05/marketplace-pulse-lets-close-the-coverage-gap.html>

100 percent federal poverty line and provide robust cost-sharing provisions to address the high out-of-pocket costs that often prevent individuals from accessing care. These provisions will help ensure that those in the coverage gap can access affordable coverage right away.

We do not believe that access to health coverage should be dependent on where you live or the political or partisan decisions of state politicians. People should not be penalized for living in states that continue to deny them Medicaid. Now is the time for action.

Thank you for your attention to this matter, and we stand ready to work with you so we can finally fulfill our promise to the American people of providing quality, affordable coverage to everyone.

Sincerely,



---

Reverend Raphael Warnock  
United States Senator



---

Tammy Baldwin  
United States Senator



---

Jon Ossoff  
United States Senator