



Proposed 1332 Waiver to Expand Essential Plan Eligibility Community Health Care Association of New York State Comments

The Community Health Care Association of New York State (CHCANYS) is grateful for the opportunity to comment on the proposed 1332 waiver to expand Essential Plan eligibility. CHCANYS operates as an advocate and voice of more than 70 community health centers with over 800 sites serving 2.3 million patients across New York State. Community Health Centers are the standard bearers of primary and preventive care for medically underserved communities across the state. CHCs are non-profit, community run clinics that provide high-quality, cost-effective primary care as well as behavioral health, dental care, and social support services, to everyone, regardless of their insurance status or ability to pay. Each CHC is governed by a consumer-majority board of directors who identify and prioritize the services most needed by their communities.

The majority of CHC patients are extremely low income; 89% live below 200% of the Federal poverty level. Our CHCs serve populations that the traditional healthcare system has historically failed: 68% are Black, Indigenous, or People of Color (BIPOC), 28% speak limited or no English, 13% are uninsured, and 4% are unhoused. Nearly 60% of our CHCs' patients are enrolled in public health insurance programs including Medicaid, Medicare, CHIP, or EP. All CHCs provide robust enrollment assistance to patients and, although CHCs do not collect information on immigration status, it is likely that the vast majority of uninsured patients are not eligible for insurance coverage due to immigration status.

In short, CHCs are a crucial safety net for New York's residents of both rural and urban areas, working tirelessly to provide healthcare and social services for people who experience poverty, racism, and discrimination that inhibits their health, well-being, and ability to survive.

CHCANYS is generally supportive of the goals of the 1332 Waiver to Expand coverage of the Essential Plan to include residents with incomes up to 250% of the federal poverty level; Reduce the uninsured population in New York by increasing access to high quality, affordable health insurance for low- and moderate-income individuals; and to continue to use the Essential Plan Trust Fund surplus to fund the program for consumer benefit. In alignment with these goals, CHCANYS submits the following comments:

Expand Essential Plan Coverage to All Immigrant New Yorkers

CHCANYS supports providing healthcare coverage for all immigrant New Yorkers under the 1332 Waiver. CHCs serve populations that, historically, the traditional healthcare system has failed. Our communities are at the highest risk for negative health consequences resulting from income inequality, discrimination, racism, and a lack of access to healthcare and social services. Currently, 13% of CHC patients are uninsured – more than 2 times the statewide average. Because CHCs have robust outreach, enrollment, and navigation services, it is highly likely that most of those individuals are ineligible for health insurance due to their immigration status. Although CHCs treat everyone regardless of whether they are insured, uninsured individuals experience the most barriers in accessing care outside of CHCs.



COMMUNITY HEALTH CARE ASSOCIATION of New York State

There are currently 154,000 low-income New Yorkers statewide who are excluded from accessing health insurance due to their immigration status. People who are uninsured are more likely to receive an initial diagnosis in the advanced stages of a disease or live with unmanaged chronic conditions. According to Families USA,¹ more than 8,200 New Yorkers died from COVID-19 because they lacked health insurance coverage.

Everyone deserves meaningful ongoing access to affordable high quality healthcare services. It is unconscionable that even though immigrants make up 54% of essential workers in New York and 70% of New York's undocumented labor force work in essential businesses, they are unable to access affordable healthcare. Consequently, CHCANYS supports expanding healthcare coverage to all immigrants under the 1332 Waiver. Expanding coverage would not only avoid \$500 million in annual Emergency Medicaid costs when uninsured immigrant patients seek emergency care at hospitals, it would also increase revenues for community health centers through Essential Plan reimbursements. Currently, health centers fund care for the uninsured through their uncompensated care programs, bolstered in part by their 340B drug discount programs and sliding fee scales, but even those programs leave health centers incomplete for the full costs of providing services to the uninsured.

Reimburse the Community Health Center Bundled Rate for All Essential Plan Enrollees in Alignment with Medicaid and Medicare

The Governor's FY24 Executive Budget directs DOH to contract with an independent actuary to study and recommend reimbursement methodologies for increasing rates in the Essential Plan. CHCANYS is supportive of these efforts and encourages the State to include CHCs in this initiative.

In recognition of the comprehensive services health centers provide to patients – from primary care, behavioral health, and dental care, to enabling services such as transportation and case management services – health centers receive an all-inclusive, bundled rate under Medicaid and Medicare, the Prospective Payment System (PPS). This payment methodology is critical to health centers' ability to provide high-quality health care in low-income and underserved communities.

Currently, community health centers receive their all-inclusive, bundled rate only for "lawfully present" immigrants under the Essential Plan, previously covered under Medicaid, despite providing the same level of care and services to all Essential Plan patients. Reimbursement at the health center bundled rate for all Essential Plan enrollees is crucial to health centers' continued viability as they face unprecedented financial hardship due to COVID-19 recovery, workforce challenges, and the rising costs of operational expenses. CHCANYS encourages the State to align Essential Plan reimbursement with Medicaid and Medicare, by reimbursing health centers at the community health center bundled rate (PPS) for all Essential Plan enrollees, based on today's costs.

Thank you for the opportunity to comment on the proposed 1332 waiver to expand Essential Plan eligibility. If there are any follow up questions, please contact Bethany Wolfe at bwolfe@CHCANYS.org.

¹ [COV-2021-64 Loss-of-Lives-Report Report v2 4-20-21.pdf \(familiesusa.org\)](#)