



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

May 16, 2019

The Honorable Jeanne Shaheen
United States Senate
506 Hart Senate Office Building
Washington, DC 20510

The Honorable Ann McLane Kuster
United States House of Representatives
320 Cannon House Office Building
Washington, DC 20515

The Honorable Margaret Hassan
United States Senate
324 Hart Senate Office Building
Washington, DC 20510

The Honorable Christopher Pappas
United States House of Representatives
323 Cannon HOB
Washington, DC 20515

Dear Members of New Hampshire's Congressional Delegation,

I write to you today to share my thoughts and concerns regarding upcoming changes in current service arrangement due to a federal regulation under the Affordable Care Act called Conflict-Free Case Management.

This rule was initiated in 2014 to protect the interests of those who are relying on Medicaid-funded services related to developmental disabilities. I support policies that protect and ensure people's rights, health, and safety; however, what makes this new rule problematic for New Hampshire families is the way in which it limits their informed choices. With this new regulation, Granite Staters will not be able to receive all of their services from a single provider agency which, for some who have received those services, has been their choice for decades.

The implementation of these changes carries the risk of dismantling effective treatment corridors, potentially causing served individuals in the developmental disability community to navigate an additional layer of oversight and management outside of their primary providers.

New Hampshire regulations have long enabled individuals in need of services to make decisions regarding their services and to choose their providers based on their individual needs, situation, and preferences. In doing so, many have chosen to receive all of their services from the same agency. This approach has worked and enabled them to address issues efficiently.

Simply put, I support empowering served individuals with the ability to make the ultimate choice in where they access services and to foster greater competition among providers. As such, I am very concerned with this rule because it eliminates that choice and adds unnecessary red tape.

New Hampshire is pursuing a waiver that would allow us to provide families who prefer to work with one service agency the ability to do so. While ACA regulations currently do not permit a waiver, we are not relenting in our advocacy.

Therefore, I respectfully ask that you work to put forward legislation to change this rule and permit waivers to states. This will allow New Hampshire to continue to be the gold standard for service delivery to individuals with developmental disabilities. I stand ready to work with you in partnership to make this change.

Since the imposition of this rule in 2014, the developmental disability community in New Hampshire has been facing considerable uncertainty. I stand united with New Hampshire's developmental disability community, the time to take immediate action is now.

I appreciate your time and consideration of this matter.

Sincerely,



Christopher T. Sununu
Governor