



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0090

Brian P. Kemp
GOVERNOR

January 19, 2022

The Honorable Chiquita Brooks-LaSure
Centers for Medicare & Medicaid Services

Dear Administrator Brooks-LaSure:

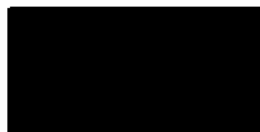
As you are aware, the bi-partisan passage of Georgia's Patients First Act in 2019 by the Georgia General Assembly allowed the Georgia Department of Community Health the authority to provide Medicaid coverage to previously ineligible Georgia families, for the first time. This was a carefully negotiated effort between my administration and members of the Georgia General Assembly – and for more than two years, efforts have been underway to implement the will of the legislature.

Culminating in the submission and ultimately federal approval of the Section 1115 Demonstration project, Georgia Pathways created an enrollment opportunity for more than 50,000 hardworking Georgia families to earn coverage on Medicaid – or their premiums covered by the state if they had access to employer sponsored insurance. This program and its Pathways requirements provided an innovative approach to coverage – modeled after the existing TANF program which promotes a “work-first” component to eligibility.

Despite this effort being bi-partisan, modeled after existing federal programs, and months of negotiations with career staff at CMS – your letter dated February 12th and further rescission of certain authorities on December 23rd constitutes an unlawful bait and switch and deprives tens of thousands of Georgia families access to coverage in the midst of a once in a life-time global pandemic. It's abundantly clear that this decision was not driven by policy – rather politics – as the Biden administration continues to force their agenda on Georgians.

Accordingly, I have instructed the Georgia Department of Community Health to cease all implementation activities while we seek to respond to your unlawful actions in federal court.

Sincerely,



Brian P. Kemp