Congress of the United States
Washington, DC 20515

March 21, 2012

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Ave
Washington, D.C. 20500

Dear Mr. President:

We are writing to express our disappointment with your administration's decision to deny Texas' request to renew the Women's Health Program (WHP) waiver. As Members of Congress, we write on behalf of thousands of constituents negatively impacted by this decision.

By denying this waiver and withholding federal funds, you put at risk the health and wellbeing of these women who, without an alternative, might be forced to seek care in an emergency room, driving up health care costs. We are concerned that your decision to deny this waiver is not being driven by concern for the health of Texas women, but by your insistence at supporting a pro-abortion agenda, something the Texas Legislature has statutorily forbidden the State of Texas from following.

Section 1115(a) waivers were designed to give states flexibility to design and improve their Medicaid and CHIP programs, allowing states to test new or existing ways to deliver and pay for program coverage. Texas' WHP has been very effective, with more than 185,000 low-income women enrolled and receiving health care services at a low cost to the state and Federal Government. Texas has made great strides in trying to offer health care for a lower cost, and the WHP is proof of this. We want the Federal Government to be supportive of this creative and effective initiative, rather than try to force the State of Texas to violate state law to receive Federal Medicaid dollars.

This Women's Health Program has been a success for Texas, and has the potential to be more successful yet, even after the Texas Legislature directed the state Health and Human Services Commission (HHSC) not to contract with entities that promote or perform elective abortions. Texas has plenty of health care providers and clinics they can contract with, without violating existing state law, and women's access to care will not be deterred because of this law. Because the Social Security Act does not define qualifications for Medicaid providers, Texas has the right under the 10th Amendment to determine such standards as the state sees fit. Texas has made a decision as to how to spend its money, and the Federal Government should not intrude on that decision just to support Planned Parenthood or any other abortion provider.

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While are pleased that Texas is embarking on the development of a state-based Women's Health Program, we ask that you reconsider your Administration's decision to deny this 1115(a) waiver renewal request, and restore these important health care services for Texas women.

Sincerely,

Joe Barton

Michael Burgess

Rich Flores

Sam Johnson

Cr Cousea

John Culberson

Pete Olson

Lamar Smith

K Michel

Blake Farenthold

Ralph M. Hall

K. Mitchell

Ken Bay

cc: Ms. Kathleen Sebelius, Secretary, Health and Human Services
Ms. Marilyn Tavenner, Acting Administrator, Centers for Medicare & Medicaid Services
Mr. Rick Perry, Governor, State of Texas