

14 July 2022

The Honorable Xavier Becerra  
Secretary of Health and Human Services  
Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201

The Honorable Janet Yellen  
Secretary of the Treasury  
Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

Submitted via email: [stateinnovationwaivers@cms.hhs.gov](mailto:stateinnovationwaivers@cms.hhs.gov)

**Re: Nationwide Community Support for Washington's 1332 Waiver Application**

Dear Secretary Becerra and Secretary Yellen:

The undersigned 92 organizations appreciate the opportunity to provide comments on Washington State's Section 1332 Waiver Application (waiver). We write in **strong support of the waiver** as one of the most promising opportunities to improve health coverage for Washington State residents since the passage of the Affordable Care Act.

We are community leaders, health care providers, and advocacy organizations across the United States who aim to improve access to affordable health care and coverage for all. We work to amplify community-identified priorities, including equitable access for individuals who are uninsured and underinsured due to immigration status restrictions.

**In Washington State today, many immigrants go without critical health care** because they are structurally excluded from affordable health coverage. Over 100,000 of Washington's immigrant residents lack insurance today due to this systemic inequity. Left with no recourse, many of these community members currently forego needed care until it becomes an emergency. As you know, without insurance, people are more likely to have poor health status, be hospitalized for preventable conditions and acute illnesses, and die prematurely.<sup>i</sup>

**We strongly support Washington's proposed waiver because it offers a pathway to a healthier future:**

- The waiver would improve health equity, addressing one of the root causes of the disproportionate uninsurance rates and poorer health outcomes many of Washington's communities of color face today.<sup>ii</sup>
- The waiver would allow Washington State to remove federal barriers to health coverage, offering all Washington residents the same opportunity to purchase Qualified Health Plans and Qualified Dental Plans.
- The waiver would also permit Washington State to invest state funds toward more affordable coverage for low-income residents, with no impact to the federal deficit.
- The waiver would improve the broader individual insurance market by lowering premiums and reducing application barriers that prevent families from applying for coverage together.

**We urge you to approve Washington's waiver rapidly this summer.** Washington's waiver aligns with the stated goal of Affordable Care Act Section 1332, "to pursue innovative

strategies for providing residents with access to high quality, affordable health insurance while retaining the basic protections of the ACA.”<sup>iii</sup> As demonstrated in the application, the waiver satisfies Section 1332’s guardrails while proposing an innovative state solution to increase coverage. This is particularly crucial and time-sensitive now, as long-standing inequities have been exacerbated by the pandemic. Immigrants and communities of color are disproportionately contracting, hospitalized for, and dying from COVID-19.<sup>iv</sup> Washington residents cannot wait for coverage any longer.

**We applaud the waiver’s privacy assurances.** The waiver application recognizes the importance of privacy to Washington residents who may seek coverage under the waiver. The waiver proposes to maintain state program integrity standards while safeguarding the privacy of individual Washington residents. The waiver appropriately specifies that individual information about applicants and enrollees covered via the waiver will not be shared with the federal government. We look forward to federal confirmation of this assurance.

Through the waiver and other state policy solutions, Washington will make significant progress toward meeting the basic health care needs of all Washingtonians, which will make every community healthier and our national economy stronger. We strongly support Washington State’s effort to secure the federal flexibility needed to achieve this goal and respectfully ask that you expeditiously review and approve Washington’s 1332 waiver application. Please contact Lee Che Leong at [Lee.Che@nohla.org](mailto:Lee.Che@nohla.org) with any questions.

Thank you for your consideration.

Sincerely,

American Civil Liberties Union (ACLU) of Southern California  
ACLU of Washington  
American Federation of Teachers (AFT) Washington  
AFT-WA Retirees Chapter  
Anti-Hunger & Nutrition Coalition  
Arcora Foundation  
Asian Counseling and Referral Service  
Asian Pacific Islander Coalition of Washington  
Cedar River Clinics  
Central Washington Disability Resources  
Central Washington Justice For Our Neighbors  
Children’s Alliance  
Clark County Volunteer Lawyers Program  
Coalition on Human Needs  
Colorado Immigrant Rights Coalition  
Columbia Legal Services  
Community Catalyst, Inc.  
Community Health Worker Coalition for Migrants and Refugees  
Community Legal Services of Philadelphia  
Confluence Health  
Congolese Integration Network  
Economic Opportunity Institute  
El Centro de la Raza  
Fair Work Center  
Faith Action Network

Family Voices NJ  
Firelands Workers Action/Acción de Trabajadores  
Greater Spokane Progress  
HANA Center  
Health & Medicine Policy Research Group  
Health Care Is a Human Right WA Coalition  
Healthy Illinois Campaign  
If/When/How: Lawyering for Reproductive Justice  
Iglesia Episcopal de la Resurrección  
International Community Health Services  
Jefferson County Immigrant Rights Advocates  
Jewish Coalition for Immigrant Justice NW  
Jewish Community Relations Council of the Jewish Federation of Greater Seattle  
Justice in Aging  
Kavana Cooperative  
Kentucky Equal Justice Center  
Kitsap Immigrant Assistance Center (KIAC)  
Kitsap Mental Health Services  
Latino Community Fund of Washington State  
Latinos En Spokane  
Latinos Promoting Good Health  
Latinx Health Board  
Legal Voice  
Mano a Mano Family Resource Center  
Mt Baker Planned Parenthood  
MultiCare Health System  
National Asian Pacific American Women's Forum (NAPAWF)  
New Jersey Citizen Action  
New Jersey Consortium for Immigrant Children  
New Mexico Center on Law and Poverty  
North Seattle Progressives - Health & Wellness Sub-Committee  
Northwest Harvest  
Northwest Health Law Advocates (NoHLA)  
OneAmerica  
Pacific County Immigrant Support  
Para Los Niños de Highline  
Patient Coalition of Washington  
Planned Parenthood Alliance Advocates - Washington  
Planned Parenthood of Greater Washington and North Idaho  
Pro-Choice Washington  
Poverty Action  
Public Health Solutions  
R2H Action [Right to Health]  
Raiz of Planned Parenthood of Greater Washington and North Idaho  
Seattle Immigrant Rights Action Group  
Shriver Center on Poverty Law  
SIECUS: Sex Ed for Social Change  
Somali Health Board  
Southwest Suburban Immigrant Project  
SPAN Parent Advocacy Network  
Tennessee Justice Center

The Children's Partnership  
The Hat Project  
United Food & Commercial Workers (UFCW) 3000  
Villa Comunitaria  
Virginia Coalition of Latino Organizations  
Washington Association for Community Health  
Washington CAN  
Washington Chapter of the American Academy of Pediatrics  
Washington Immigrant Solidarity Network (WAISN)  
Washington Poor People's Campaign  
Washington State Budget & Policy Center  
Washington State Catholic Conference  
Washington State Medical Association  
Washington State Nurses Association  
Wenatchee for Immigrant Justice  
WithinReach

---

<sup>i</sup> See, e.g., Tolbert, J. et. al, "Key Facts about the Uninsured Population," Kaiser Family Foundation (Nov. 2020), <https://www.kff.org/uninsured/issue-brief/key-facts-about-the-uninsured-population/>.

<sup>ii</sup> See generally, Yen W., "Washington State Health Services Research Project: Statewide Uninsured Rate Remained Unchanged from 2018 to 2019," WA State Office of Financial Management (Dec. 2020); Yen W., "Health Coverage Disparities Associated with Immigration Status in Washington State's Non-elderly Adult Population: 2010-17," WA State Office of Financial Management (May 2019); Hadley, J. "Sicker and poorer--the consequences of being uninsured: a review of the research on the relationship between health insurance, medical care use, health, work, and income," Medical Care Research Review. 2003;60 (June 2003):3S-75S.

<sup>iii</sup> See "Section 1332: State Innovation Waivers," CMS.gov, at [https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section\\_1332\\_State\\_Innovation\\_Waivers-](https://www.cms.gov/CCIIO/Programs-and-Initiatives/State-Innovation-Waivers/Section_1332_State_Innovation_Waivers-)

<sup>iv</sup> See Washington State Department of Health, COVID-19 Data Dashboard, at <https://doh.wa.gov/emergencies/covid-19/data-dashboard>.