

September 12, 2022

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Brooks-LaSure:

In June 2022, Congress passed and President Joe Biden signed the *Bipartisan Safer Communities Act* to address gun violence, improve school safety, and invest in mental and behavioral health. Under *Section 11003* of the act, the Centers for Medicare & Medicaid Services (CMS) has been tasked with issuing “guidance to State Medicaid programs, local educational agencies, and school-based entities to support the delivery of medical assistance to Medicaid and CHIP beneficiaries in school-based settings.” Updating federal guidance regarding Medicaid funding for services in school-based settings is long overdue and urgently needed to help address the youth mental and behavioral health crisis.

Prior to the Coronavirus Disease 2019 (COVID-19) pandemic, up to 1 in 5 children ages 3 to 7 in the U.S. reported a mental, emotional, developmental, or behavioral disorder.¹ The pandemic has caused a surge in rates of depression, anxiety, trauma, loneliness, and suicidality among young people. In addition to these COVID-19 stressors, more than 140,000 children in the U.S. have lost a primary and/or secondary caregiver in the last two years.² In May 2021, Children’s Hospital Colorado underscored how suicide has become the leading cause of death for Colorado’s children and the increasing demand for health services by declaring a “State of Emergency” in youth mental health.³ As CMS has previously found, schools can fill a critical role in identifying and connecting children with mental and behavioral health services.⁴

While Medicaid expenditures for school-based health services have increased since CMS changed its guidance on “free care” in 2014, less than half of States have expanded or started the

¹ U.S. Department of Health and Human Services. “Protecting Youth Mental Health: The U.S. Surgeon General’s Advisory.” (2021). Accessed on September 7, 2022: <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>

² American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry and Children’s Hospital Association. “Declaration of a National Emergency in Child and Adolescent Mental Health.” (October 19, 2021). Accessed on September 7, 2022: <https://www.aap.org/en/advocacy/child-and-adolescent-healthy-mental-development/aap-aacap-cha-declaration-of-a-national-emergency-in-child-and-adolescent-mental-health/>

³ Children’s Hospital Colorado. “Children’s Hospital Colorado Declares a ‘State of Emergency for Youth Mental Health.’” (May 25, 2021). Accessed on September 7, 2022: <https://www.childrenscolorado.org/about/news/2021/may-2021/youth-mental-health-state-of-emergency/>

⁴ CMS. “Guidance to States and School Systems on Addressing Mental Health and Substance Use Issues in Schools.” (July 1, 2019). Accessed on September 7, 2022: <https://www.medicare.gov/federal-policy-guidance/downloads/cib20190701.pdf>

process of expanding Medicaid coverage in schools.^{5,6} New flexibility to expand Medicaid reimbursement has led to a patchwork of policies that provide different degrees of support for school-based health services. Students of color, those from lower socio-economic backgrounds, and kids living in rural areas are most negatively affected by disparities in coverage and access to services.

I appreciate the recently released Center for Medicaid and CHIP Services Information Bulletin pointing to existing guidance and strategies,⁷ however updated federal Medicaid guidance for school-based services is desperately needed. State Medicaid agencies, local educational agencies, and school-based entities need clear guidance and help reducing administrative burden to provide better support to kids during this crisis. To that end, I ask that CMS urgently work to issue the new guidance and provide my office with an expected timeline for release.

I appreciate your timely consideration of this matter.

Sincerely,



Michael F. Bennet
United States Senator

⁵ Ibid.

⁶ Healthy Students, Promising Futures. "School Medicaid Programs." (June 2021). Accessed September 7, 2022: <https://healthystudentspromisingfutures.org/map-school-medicaid-programs/#0>

⁷ CMS. "Information on School-Based Services in Medicaid: Funding, Documentation and Expanding Services." (August 18, 2022). Accessed on September 7, 2022: <https://www.medicaid.gov/federal-policy-guidance/downloads/sbscib081820222.pdf>