EDWARD M. KENNEDY, CHAIRMAN

CLAIBORNE PELL, RHODE ISLAND

ORRIN G. HATCH, UTAH

HOWARD M. METZENBAUM, OHIO

ROBERT T. STAFFORD, VERMONT

SPARK M. MATSUNAGA, HAWAII

DAN QUAYLE, INDIANA

CHRISTOPHER J. DODD, CONNECTICUT

STROM THURMOND, SOUTH CAROLINA

PAUL SIMON, ILLINOIS

LOWELL P. WEICKER JR, CONNECTICUT

TOM HARKIN, IOWA

THAD COCHRAN, MISSISSIPPI

BROCK ADAMS, WASHINGTON

GORDON J. HUMPHREY, NEW HAMPSHIRE

BARBARA A. MIKULSKI, MARYLAND

THOMAS M. ROUINS, STAFF DIRECTOR ANO CHIEF COUNSEL

HAYDEN G. BRYAN, MINORITY STAFF DIRECTOR

UNITED STATES SENATE

Committee on Labor and Human Resources

Washington, DC 20510-6300

October 7, 1988

William L. Roper, M.D.

Administrator

Health Care Financing Administration

Room 309-G, Hubert H. Humphrey Building

200 Independence Avenue, S.W.

Washington, D.C. 20024

Dear Dr. Roper:

I am writing to comment on the proposed rules for "Coverage of Personal Care Services" under the Medicaid program, as published in the federal register on June 27th.

I have reviewed the proposed rules as well as comments from disability advocacy organizations and state mental retardation program administrators. The comments from this community were consistent, and I share their belief that the proposed rules, particularly as they relate to restrictions on type of service, service setting and service provider, do not reflect positive movement for people with disabilities in their effort to live independently. These regulations could, in fact, result not only in less movement out of restrictive institutional settings, but also foster increased reliance on providing services in such settings.

I am deeply concerned that, in spite of our increased knowledge about the ability of people with disabilities to live independently and contribute to their communities, and in spite of continuing Congressional efforts to pass legislation which clearly emphasizes increasing the independence and improving the quality of life for people with disabilities, HCFA proposes rules that would significantly restrict the (availability of?) services required to achieve this goal.

I strongly urge that you consider modifications to the proposed rules that would strengthen the personal care assistance program by increasing the availability of these services, and thus enable people with disabilities to live independently with dignity.

Sincerely,

Lowell P. Weicker, Jr.

United States Senator