



Grasstops Engagement and Grassroots Activation: How Advocates Improved Pennsylvania’s Medicaid Waiver

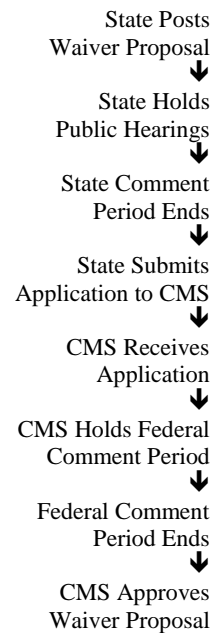
Overview

In late 2013, then-Pennsylvania Governor Tom Corbett announced he would seek approval from the federal Centers for Medicare and Medicaid Services (CMS) for his alternative Medicaid expansion plan, known as [Healthy Pennsylvania](#). His initial application included several troubling provisions that would have significantly reduced access to coverage and care for the low-income population Healthy PA was intended to serve. In part because of the work by consumer health advocates in Pennsylvania to raise concerns about these provisions, the final waiver approved by CMS did not include many of the egregiously anti-consumer components included in the initial application.

For example, the final waiver approved by CMS:

- **Denied Pennsylvania the ability to charge higher premiums to Medicaid beneficiaries who are not actively searching for work.** The Corbett administration’s initial proposal would have made work search a condition of eligibility for many adults working less than twenty hours a week. The Corbett administration quickly filed an amendment to eliminate the link with eligibility and charge higher premiums instead – and even that was not included in the final approved waiver.
- **Limited who Pennsylvania could charge premiums to, how much it could charge them, and what the consequences for nonpayment could be.** The initial application would have charged higher premiums on beneficiaries above 100% of the Federal Poverty Level (FPL) than they would pay on the marketplace (where their contribution is tapped at 2% of income), allowed open-ended authority to charge premiums for adults with incomes below the poverty line, and locked people out of Medicaid for three, six and nine months – for the first, second and third times respectively – that they failed to pay premiums. The approved waiver limited premiums to 2% of income for those above 100% FPL, denied the open-ended request to charge premiums on those below 100% FPL, and denied lockout periods.
- **Denied most of Pennsylvania’s requests for exemptions from required benefits.** The state requested a number of benefit waivers, including freedom of choice of family planning providers. CMS denied all these benefit waiver requests except one – a limited waiver of non-emergency transportation – which they had already granted in other states.

Timeline for Public Comment and Waiver Approval Process*



*Kaiser Family Foundation, 2013

The following case study details how consumer health advocates in Pennsylvania ensured consumer interests were represented in waiver negotiations and ultimately helped shape the final approved waiver to better serve low-income consumers. By pivoting the coalition's work from their initial Medicaid expansion campaign, Pennsylvania's Cover the Commonwealth campaign (CTC) engaged the media, exposed the anti-consumer provisions initially included in the waiver, and enabled consumers and coalition partners to provide feedback on a policy-heavy initiative that might have otherwise been out of reach for consumer engagement. By implementing a variety of tactics, CTC played both an 'inside' and 'outside' game, successfully convincing the federal government to make significant improvements in the final waiver. The Pennsylvania experience showcases the impact of grassroots engagement and the power of a coalition in advancing consumer-friendly policies on the state level. Many of the strategies described can be applied to other campaigns that involve state policy and federal lawmakers.

Background and Challenge

Prior to the Governor's announcement that he would seek approval from CMS for his alternative Medicaid expansion plan (Healthy PA), the [Cover the Commonwealth Campaign](#) (CTC), led by [Pennsylvania Health Access Network](#) (PHAN), had built an intensive grassroots organizing campaign for full Medicaid expansion (without a waiver) in the Commonwealth. While Healthy PA wasn't the comprehensive Medicaid expansion advocates had initially pressed for, it presented both a challenge and an opportunity for consumer health advocates.

The challenge was to innovatively re-engage grassroots supporters and coalition partners to weigh in on the complex [waiver approval process](#) at both the state and federal level. Simultaneously, the opportunity for advocates was to use the upcoming state and federal public comment periods to highlight the anti-consumer provisions in the proposed waiver through the media and to influence the waiver process.

This case study outlines the organizing strategies PHAN and their CTC partners implemented to engage and coordinate grassroots supporters, coalition partners, key stakeholders and influential allies including the media. Their strategic efforts ultimately led CMS to reject the most harmful provisions in Healthy PA that would have threatened [500,000 Pennsylvanians](#) from fully accessing affordable health coverage.

Campaign and Coalition Coordination

After Governor Corbett submitted his Medicaid waiver proposal, advocates quickly activated their initial Medicaid expansion campaign coalition partners to identify priorities, and convey key messaging to their grassroots bases and key waiver decision makers. The coalition's initiatives, led by the CTC Leadership Team and executed by a number of subcommittees, aimed to ensure that the concerns expressed by consumers were addressed during the waiver process.

Creating a Leadership Team and Relevant Subcommittees

Following Governor Corbett's announcement, the CTC Leadership Team, which included representatives from SEIU, Community Legal Services, Pennsylvania Budget and Policy Center, the Consumer Health Coalition, Pennsylvania Partnerships for Children, Project HOME, Pennsylvania Health Law Project and PHAN, collectively decided to pivot their grassroots organizing campaign to focus on the waiver.

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Subcommittees focused on policy analysis, communications, and legislative advocacy shifted gears to reframe their goals to address the waiver as well. In order to effectively coordinate all grassroots organizing and coalition campaign activities, each subcommittee was chaired by a CTC Leadership Team member.

Allowing (Sub)committees to Divide the Work

CTC's communications committee developed key messages and materials for the coalition and their grassroots constituencies. They created [talking points](#) and one-pagers, sent weekly updates to coalition listserves and penned [sample letters to the editor](#) for coalition partners to share with their constituencies to advocate for closing the coverage gap without limiting certain consumers' access.

For example, CTC's policy committee pulled together analyses of Healthy PA, drafted template comments for grassroots supporters and coalition partners to use during the state and federal comment periods, and crafted testimony for statewide public hearings on the waiver. They also helped the coalition develop guiding principles to determine their acceptance or rejection of elements included in the waiver. Collectively, the group decided that several key provisions would trigger the coalition's opposition, including: proposed cuts to the state's current Medicaid program, work requirements, lack of wraparound assistance, and the exclusion of federally qualifying health plans (FQHPs).

However, some key stakeholders who had been involved in the coalition's initial work to expand Medicaid in the first place were at odds with the new coalition priorities. More specifically, the state's Hospital Association was supportive of Governor Corbett's waiver proposal. To move the hospitals toward endorsing the coalition's priorities, the Leadership Team coordinated meetings with the Hospital Association. Despite the Hospital Association's decision to continue to support the Governor's waiver, the Leadership Team continued to meet with them and share up-to-date information with them about the status of the waiver process, recognizing that stakeholder partnership could prove useful down the road.

Communicating Between Committees

CTC's Leadership Team hosted a series of campaign conference calls to share the status, terms, and conditions of the waiver. These calls served as an important opportunity for coalition partners to discuss their campaign strategies, including the details regarding the mobilization of their grassroots supporters. Prior to these coalition calls, CTC's Leadership Team emailed coalition partners with an electronic survey to capture concerns about the waiver, including those voiced by coalition partners' grassroots constituencies. This helped to assure partners that all voices were being given space to contribute, and partner feedback was routinely incorporated into coalition talking points.

Weighing in at the State Level

Meeting with State Medicaid Officials

After identifying priority issues areas, CTC's subcommittees coordinated advocacy efforts targeting key decision makers in Pennsylvania. CTC's Legislative subcommittee set up private meetings with senior state Medicaid officials to receive briefings on how the state would implement Healthy PA, and to share the coalition's priorities. They also attended public meetings hosted by Pennsylvania's [Medical](#)

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[Assistance Advisory Committee](#) to ask questions and raise concerns on Healthy PA. Simultaneously, the communications subcommittee developed and disseminated [weekly messages](#) to the Legislature on the harmful provisions included in Healthy PA.

Taking Full Advantage of the State Public Comment Period

The policy subcommittee developed template comments for coalition partners to submit to the state Medicaid office and helped coalition partners draft testimony for statewide public hearings on the waiver while collaborating with organizations to identify consumers to testify at the hearings. CTC's targeted legislative and administrative advocacy efforts resulted in over 100 coalition partners submitting comments to their state Medicaid office. As described below, the coalition also identified and trained consumers to testify at these public hearings to voice their concerns about Healthy PA.

Using Electoral Timing to Their Benefit

CTC partners capitalized on the fact that the waiver review process coincided directly with upcoming state legislative and gubernatorial elections, which enabled the coalition to communicate their concerns to candidates. Following Tom Wolf's announcement to run for Governor of Pennsylvania, the Leadership Team set up meetings with him to outline the coalition's concerns and the benefits of full Medicaid expansion in the state.

Identifying, Training and Mobilizing Grassroots Supporters

CTC coalition partners identified and trained grassroots supporters to speak out and share their stories at press events held prior to public hearings on the waiver. Similarly, the coalition identified and trained consumers to testify at public hearings, publicly voicing their concerns about Healthy PA. CTC partners also mobilized grassroots constituencies to participate in legislative call-in and drop-in days at the state capitol, resulting in over 100 legislative office visits to educate and inform decision makers on how Healthy PA would negatively impact low-income people. Coalition partners also recruited over 200 individuals from across the state to attend rallies at the state Capitol.

The coalition didn't stop at the Capitol, though. Coalition partners also turned out high numbers of their members at town hall meetings hosted by lawmakers to ask questions about Healthy PA. For example, CTC's labor partners prepared members to ask candidates about their stance on Healthy PA candidate town halls leading up to the 2014 election.

Pennsylvania Expansion Efforts: By the Numbers

- 100 legislative office visits at the state Capitol
- 100 coalition partners' comments sent to state Medicaid officials
- 200 consumers at rallies at state Capitol
- 200 coalition partners submitted comments to CMS
- 500 grassroots activists submitted comments to state Medicaid department
- 1,000 grassroots activists submitted comments to CMS
- 2,000 petition signatures submitted to state Legislature

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Grassroots supporters received guiding tools from CTC coalition listserves to facilitate their weighing-in on the state comment period. Tools included [template emails and comments](#), which could be submitted to state Medicaid officials and policymakers. Grassroots constituencies also were provided with opportunities to sign-on to a letter voicing concerns about Healthy PA and the need for full Medicaid expansion. Over 500 grassroots activists used CTC's online link to submit comments to state Medicaid officials, and over 2,000 people signed a petition requesting that the Pennsylvania General Assembly reject Healthy PA's harmful provisions.

Weighing in at the Federal Level

Keep Pushing With Additional Sign-On Campaigns

Once Governor Corbett sent his waiver proposal to CMS, CTC implemented another sign-on letter campaign targeting federal officials. Based on previous coalition calls and policy analyses, CTC drafted a sign-on letter addressing concerns raised by coalition members. PHAN [drafted sample template comments](#) and had over 200 coalition partners submit comments to CMS during the federal waiver review process.

Activating Grassroots Supporters

CTC partners once again activated their grassroots members to raise concerns during the waiver's federal comment period. By providing a template email, which included an online toolkit, grassroots members were empowered to engage in the federal comment period. PHAN took the lead in circulating a sign-on letter for coalition partners to share with members that targeted CMS and in the end over 1,000 grassroots supporters submitted comments to CMS using CTC's template comment language.

Maintaining Ongoing Communication with Federal Officials

During the federal comment period CTC partners regularly communicated with CMS staff, urging them to disallow or at least amend problematic pieces of the waiver. For example, during the federal comment period the CTC Leadership Team held meetings with CMS officials to negotiate the removal of particularly harmful provisions in the waiver; as part of their strategy, CTC leaders delivered all of the comments they'd collected during the state public comment period, ensuring CMS officials heard consumers' concerns.

PHAN also used its relationship with local legislative leaders who were in direct communication with CMS to get important updates around the timing of the waiver. As a result, CTC partners quickly executed a sign-on letter campaign directed at CMS, gathering over 50 organizational signatures in less than 12 hours. During the federal comment period, PHAN and fellow CTC Legislative subcommittee members also met with targeted Congressional representatives from Pennsylvania to express the coalition's concerns about Healthy PA.

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Media Advocacy

Shaping the Narrative Around Healthy PA

CTC partners used the media in every way possible during the state and federal comment periods. They held press calls about how the waiver would impact low-income Pennsylvanians, and strategically directed media contacts to the waiver's public comments website, where the press could review thousands



of comments submitted by coalition partners and grassroots supporters. Community Legal Services, a CTC partner, put together a one page briefing that highlighted the number of negative comments on CMS's website and shared that with the media. CTC partners also directed the press to their coalition's website with a Medicaid 'counter,' detailing the hundreds of millions of dollars the state was losing every minute they did not fully expand Medicaid.

Press Events in Advance of Public Hearings

As mentioned earlier, CTC partners organized press events in advance of public hearings around Healthy PA, recruiting thoroughly vetted consumers to share their families' stories about why complete expansion was important. The coalition provided speakers with talking points, and also worked to identify hard-working, low-income speakers who could counter the Governor's narrative promoting the waiver's work requirement and premium provisions.

Key Take-Aways From CTC's Organizing Efforts

Messaging to the Public Around Premiums

While they continued discussing the harms of premiums in their one-on-one conversations with lawmakers and in their comments during the public comment period about the waivers, CTC partners learned to move away from talking about premiums in public messaging because they found it didn't resonate strongly with grassroots supporters. Rather, CTC focused on messaging which highlighted the unnecessarily complex methods Governor Corbett had taken to expand Medicaid expansion instead of simply supporting a full Medicaid expansion plan.

The Power of the Media

CTC partners capitalized on every opportunity to engage the media, pitching hundreds of stories about how Healthy PA would impact low-income Pennsylvanians. The coalition saw many additional media opportunities as the campaign's timing coincided with the 2014 elections.

Using the Grassroots' Voice

CTC partners identified opportunities for grassroots supporters to influence and help shape the narrative during the state and federal comment periods. This proved to be effective in mobilizing thousands of

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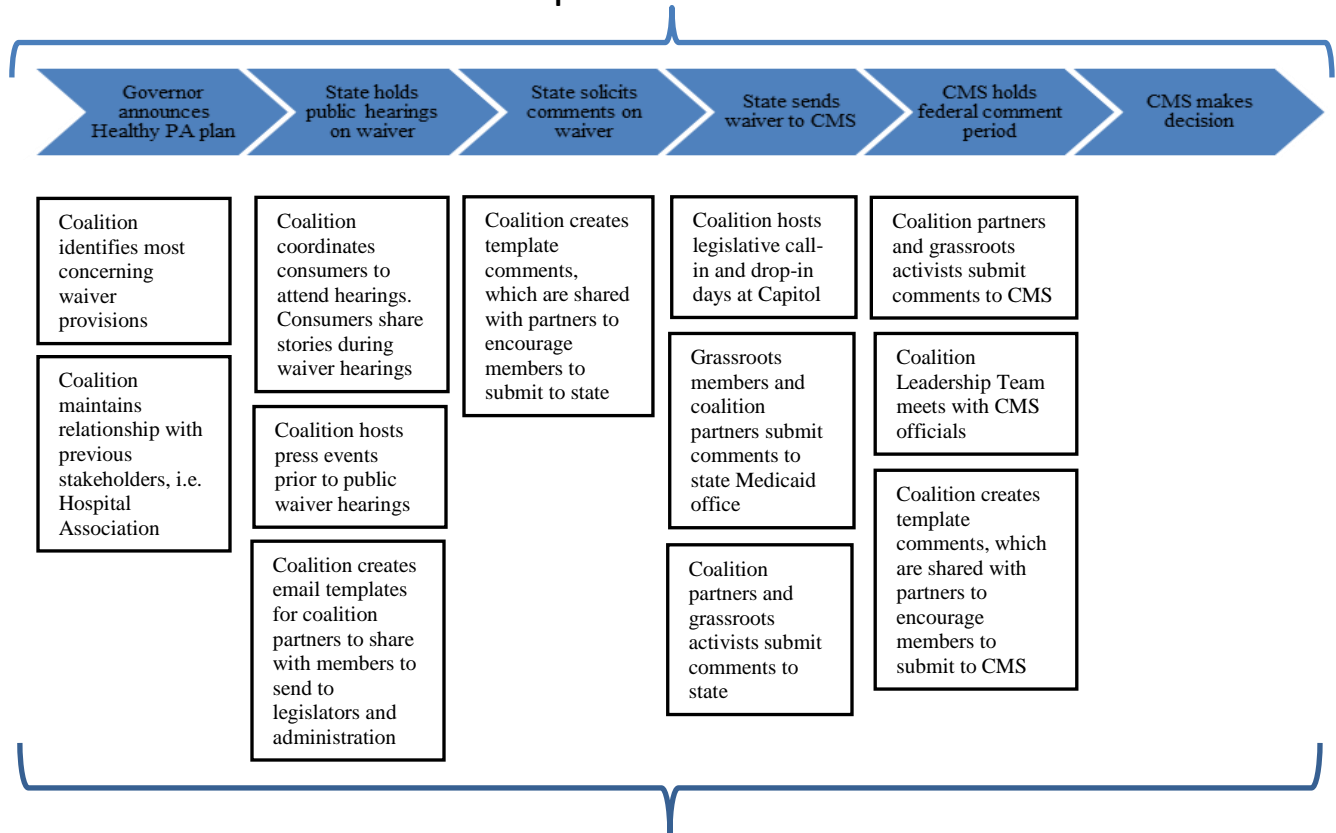
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grassroots members to weigh in publicly on Healthy PA. At every stage of the waiver process, grassroots supporters were informed, trained, and empowered to raise their voices at the state and federal level about the need to move an expansion proposal that addressed the needs of low-income Pennsylvanians.

Maintaining a Coordinated Coalition

Decisions on PA’s campaign efforts were steered by a coordinated Leadership Team with members chairing different subcommittees focused on specific roles within the coalition, including policy analysis, legislative advocacy, and communications guidance. CTC ensured that different voices chaired each committee to ensure that all appropriate constituencies, such as women’s health groups, labor unions, and consumer health advocates, were involved in directing CTC’s campaign.

Medicaid Expansion Waiver Process



Corresponding Advocacy Strategies

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