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**Congress of the United States
House of Representatives
Washington, DC 20515-0923**

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The Honorable Rick Scott
Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Governor Scott:

I write to bring to your attention an urgent matter that requires immediate consideration. As you may know, our nation's AIDS Drug Assistance Program (ADAP) faces an ongoing funding crisis. Due to a federal funding shortfall, state budget cuts, and an increase in the number of individuals living with HIV/AIDS who rely on public health safety net programs, many states, including Florida, have had to create ADAP waiting lists and cut services by reducing eligibility criteria, changing formularies, and implementing other cost-containment measures. Currently, Florida accounts for 21 percent (980 individuals) of the 4,575 individuals on ADAP waiting lists in 12 states. Therefore, I urge the State of Florida to support its ADAP, as well as its Medicaid program, to the greatest extent allowed by its current budgetary considerations.

While the Federal government's investment in treatment and research is helping people with HIV/AIDS live longer and more productive lives, HIV continues to spread at a staggering rate. Nationwide, more than one million people in the United States are living with HIV/AIDS, and 56,000 individuals become newly infected with the virus each year. According to the Florida Department of Health's Bureau of HIV/AIDS, in 2009, Florida ranked number one in the nation in HIV infections as well as AIDS diagnoses. Furthermore, Florida ranks third-highest among the 50 states in cumulative reported AIDS cases. Florida's consistently high rate of HIV/AIDS poses a serious public health concern. Among HIV-positive individuals, it is estimated that one in five are unaware of their infection, which increases the likelihood of late diagnosis, delayed treatment, and transmission to others.

State ADAPs are funded through the Ryan White HIV/AIDS Program, which was established in 1990 to help provide health care and support services to some of our nation's most vulnerable citizens. The Health Resources and Services Administration (HRSA) estimates that about one in four HIV-positive people in care in the United States receive their medications through state ADAPs. However, the prolonged existence of ADAP waiting lists makes it clear that current funding levels for ADAP are unsustainable. Although federal emergency funding and Welvista's Florida ADAP Bridge Program have helped to significantly reduce the ADAP waiting list in Florida, further investment is necessary if we are to be successful in ensuring access to lifesaving drugs for individuals living with HIV/AIDS.

According to the January 2012 National ADAP Monitoring Project, an annual report produced by the National Alliance of State and Territorial AIDS Directors (NASTAD), in FY 2011 federal ADAP funds provided 43 percent of the national ADAP budget, state contributions provided 16 percent, drug rebates provided 33 percent, and the remainder consisted of various Ryan White grants, contributions, and other supplemental funding. In contrast, Florida contributes less than 10 percent to its ADAP. Any additional support that the State of Florida can provide to its ADAP will go a long way in helping alleviate its waiting list while providing vulnerable Floridians living with HIV/AIDS access to much-needed care.

In addition, I encourage you to support state and local efforts to prevent and treat HIV/AIDS by strengthening Florida's commitment to Medicaid. About 40 percent of individuals living with HIV/AIDS are covered under Medicaid, and some of these patients are also enrolled in Medicare as "dual eligibles." As a group, they represent the poorest, sickest, and most costly beneficiaries. Any cuts to Medicaid threaten to undermine the progress that has been made in addressing the HIV/AIDS epidemic by exacerbating the current ADAP crisis. In particular, cutting Medicaid will force patients to turn to the State's final safety net – the Ryan White Program and ADAP – in order to receive their treatments and related services, thus placing even further strain on the Program. It is for these reasons that I strongly urge the State of Florida to preserve access to Medicaid and find efficiencies in its Medicaid program to better treat people living with HIV/AIDS, as well as ease the burden on the Ryan White Program and ADAP as the payers of last resort.

Governor Scott, thank you for your attention to this important matter. Thousands of low-income, uninsured, and underinsured Floridians living with HIV/AIDS are counting on you to support the State's ADAP and Medicaid program, thereby ensuring that they have reliable access to the drugs they need to stay alive. Without further support from the State, I am deeply concerned that Florida's ADAP waiting list may begin growing again in the coming months due to insufficient funding. I look forward to your response and hope that, together, we can take swift and meaningful action to help members of Florida's HIV/AIDS community live healthy, productive lives and stem the tide of new HIV infections. Should you have any questions, please do not hesitate to contact me.

Sincerely,


Alcee L. Hastings
Member of Congress

Cc:

The Honorable Mike Haridopolos, President, Florida Senate
The Honorable Andy Gardiner, Majority Leader, Florida Senate
The Honorable Nan H. Rich, Minority Leader, Florida Senate
The Honorable Dean Cannon, Speaker, Florida House of Representatives
The Honorable Carlos Lopez-Cantera, Majority Leader, Florida House of Representatives
The Honorable Ron Saunders, Democratic Leader, Florida House of Representatives