



August 8, 2018

The Honorable Alex M. Azar II
Secretary of Health and Human Services
c/o The Honorable Seema Verma, Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-2413-P
P.O. Box 8016
Baltimore, MD 21244-8016

Re: Comments in Response to Department of Health and Human Services Notice of Proposed Rulemaking titled "Medicaid Program: Reassignment of Medicaid Provider Claims," CMS-2413-P, 83 Fed. Reg. 32252 (July 12, 2018)

Dear Secretary Azar:

The Center for Worker Freedom (CWF) is a nonprofit, educational organization that is dedicated to warning the public about the causes and consequences of unionization. CWF supports freedom of association and believes every worker should have the right to decide for themselves whether or not they would like to belong to a labor organization.

The Center for Worker Freedom strongly supports the Health and Human Services proposed rule because of CWF's work in a Minnesota home health care decertification effort.

In 2016, Kris Greene, Catherine Hunter and other personal care assistants (PCAs) formed an organization called MNPCA to decertify their union, the Service Employees International Union. The PCAs are mostly family members of individuals who need constant care, and taxpayers give a small subsidy to these PCAs because they can't work. CWF and other groups, including the Center of the American Experiment, Seaton, Peters & Revnew, Center for Independent Employees, and Americans for Prosperity, have been helping them.

From the beginning, the unionization of these PCAs has been highly questionable. In 2013, Minnesota Governor Mark Dayton (DFL) signed a bill into law, defining these caretakers as "public employees" solely for collective bargaining purposes. The SEIU quickly held an election and declared victory although fewer than 6,000 PCAs out of 27,000 PCAs voted in the election. Since that vote, union dues have been automatically deducted from the small Medicaid subsidies of many of these PCAs.

In working on this decertification effort, MNPCA has discovered that addresses on the PCA lists that the SEIU has given are nonexistent. In addition, some PCAs have told the group that the union forged their signatures or that they never received a ballot to vote in the election.

Given the seriousness of these accounts, CWF supports ending the diversion of Medicaid resources to third parties, including unions.

Sincerely,

Olivia Grady
Senior Fellow, Center for Worker Freedom