

**Thomas M. Susman**  
Director  
Governmental Affairs Office

**AMERICAN BAR ASSOCIATION**  
740 Fifteenth Street, NW  
Washington, DC 20005-1022  
(202) 662-1760  
FAX: (202) 662-1762

January 14, 2009

The Honorable Max S. Baucus, Chair  
Committee on Finance  
United States Senate  
Washington DC 20510

The Honorable Charles E. Grassley, Ranking Minority Member  
Committee on Finance  
United States Senate  
Washington DC 20510

Dear Chairman Baucus and Senator Grassley:

I write to you today on behalf of the American Bar Association (ABA), in reference Chairman's Mark of the Children's Health Insurance Program Reauthorization Act of 2009 (SCHIP), to reaffirm our support for reauthorization of the Program. ABA policy has long supported legislation that ensures the provision of comprehensive health care for children 18 years of age and younger and pre-natal care for pregnant women.

We understand that the Senate Finance Committee will consider the legislation tomorrow and vote on amending the Chairman's Mark so that it would significantly improve access to health care services for legal immigrant children. The ABA supports this amendment. Currently, legal immigrant children are subject to a five-year waiting period before they become eligible for coverage under Medicaid or SCHIP. This amendment would give states the option to provide Medicaid and SCHIP coverage for otherwise eligible low-income legal immigrant children and pregnant women who have been in this country less than five years. This provision is included in H.R. 2, the SCHIP reauthorization legislation that passed the House today by a vote of 289-139.

If legal immigrant children do not receive needed immunizations and proper care for communicable diseases, not only do they suffer because of this lack of health care, but other children living in the United States might well be exposed to diseases to which they would not otherwise have been exposed. It is good public policy to cover such children. In addition, if pregnant women who are immigrants do not receive pre-natal care because they have been in the country less than five years, their children may not be as healthy as they would otherwise have been. The health care expenses of these children are likely to be higher once they qualify for Medicaid and SCHIP coverage. Again, it is simply good public policy to cover pregnant women who are immigrants even if they have not been in the country for five years or more.

We urge you to report the Chairman's Mark with the amendment relating to legal immigrant children and pregnant women who have been in this country for less than five years.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Thomas M. Susman" with a long horizontal flourish extending to the right.

Thomas M. Susman