



ADAP Advocacy Association | **aaa+**[®]
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September 15, 2010

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President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20500

The Honorable Nancy Pelosi, Speaker
U.S. House of Representatives
Office of the Speaker
H-232, US Capitol
Washington, DC 20515

The Honorable Harry Reid, Majority Leader
U.S. Senate
522 Hart Senate Office Building
Washington, DC 20510

RE: Solve Today's ADAP Crisis by Finding the Missing \$101 Million

Dear Mr. President, Majority Leader Reid & Speaker Pelosi,

The ADAP Advocacy Association – along with the undersigned organizations – are writing to you on behalf of the 3,423 individuals in eleven states currently waiting to access their life-saving medications from the AIDS Drug Assistance Programs (ADAPs), as of September 10th.¹ As many as five additional states may add waiting lists very soon. Their collective well-being is in your hands and they're calling out for leadership now! The perfect storm confronting the nation's ADAPs is growing worse by the day, and more people are being put into harm's way without the immediate infusion of federal funds into the program. We urge you to put politics aside and move swiftly to enact the "*Addressing Cost Containment Measures to Ensure the Sustainability and Success of the ADAP Act*" (**S.3401**), otherwise known as the ACCESS ADAP Act. If that is not a feasible option, at least find the additional \$101 million that the advocacy community identified early this year as being needed in FY 2010. The President's reprogrammed \$25 million for ADAP is deeply appreciated, but will not be enough stop the deteriorating access to treatment on ADAP for people living with HIV/AIDS. Furthermore, it will not stop the waitlists from climbing, reductions in ADAP drug formularies, or eligibility limitations.

¹ National Alliance of State & Territorial AIDS Directors (NASTAD), The ADAP Watch – September

Make no mistake about it, this is a war! Similar to the battles that our men and women in uniform are fighting in Afghanistan and Iraq, people living with HIV/AIDS are fighting for their lives against an opponent that is extremely deadly, persistent and resourceful. Without access to care and the proper treatment, these 3,423 Americans are starring death in the face. As a nation, we wouldn't accept sending our troops into battle without the adequate funding to ensure victory, and we shouldn't expect anything less for the fight against HIV/AIDS here in the United States.

We're still holding out hope! You have the ability to provide them with the resources necessary to remain healthy, productive members of their communities. **This battle can be won!**

The ACCESS ADAP Act would transfer \$126 million from discretionary amounts appropriated under the American Recovery and Reinvestment Act (Public Law 111-5) that remain unobligated, to be used by the Secretary of Health & Human Services in fiscal year 2010 to provide assistance in reducing waiting lists under the AIDS Drug Assistance Programs. The stimulus language is clear, where it reads:

"HHS also received \$22 billion in discretionary budget authority. The majority of these funds will be obligated by September 2010 to achieve the most rapid impact for citizens and States affected by the current economic downturn. HHS Recovery Act activities support efforts to increase access to health care, protect those in greatest need, expand educational opportunities, and modernize the Nation's infrastructure. HHS is committed to quickly and carefully distributing Recovery Act funds in an open and transparent manner that will achieve the objectives of the Recovery Act. HHS quickly established new policy and technical processes to review spending plans and to implement the Recovery Act requirements for transparency and accountability. To coordinate and manage the complexity of HHS' role and processes in the Recovery Act, HHS established an Office of Recovery Act Coordination. This Office will ensure that HHS fully implements the Act's requirements and OMB's guidance including meeting reporting due dates, establishing and tracking performance outcomes, mitigating risks of fraud and abuse, and keeping the public informed through the web and other means of communication.

HHS Recovery Act activities touch the lives of Americans and pave the way for health care reform by: (incomplete list)

- *Improving and Preserving Health Care;*
- *Strengthening Community Health Care Services; and*
- *Promoting Prevention and Wellness.*"²

We appreciate the political argument against using stimulus dollars to address the ADAP crisis – especially since the legislation was introduced by Members who opposed President Obama's stimulus plan. But the measure of true leadership is putting aside the partisan politics of the day and doing what's right for the people who need it the most. Today, nearly three thousand Americans need **YOUR** help, NOW!

Unfortunately the \$25 million solution proposed by President Obama in July 2010 is not sufficient, nor will it end the wait for the ADAP waiting list patients. By all conservative accounts, cash-strapped ADAPs need the full amount of \$126 million in additional funds just to move the current wait list patients into treatment and maintain the current status of the programs in line with the annual growth in ADAP. Every day that goes by the waiting lists grow and another person's life is put in danger.

² American Recovery and Reinvestment Act (Public Law 111-5)

Since this crisis started, ADAP waiting lists have increased from 99 people in June 2009 – or approximately a 3,000% increase. We witnessed growth from four states with ADAP waiting lists back then to 11 states now. And yes, there have even been possible deaths reported.

The ugly truth about the ADAP waiting lists is that they disproportionately impact the south, communities of color, and in many cases, some of the most impoverished areas in the country. In fact, 86.6% of the ADAP waiting list patients reside in the south.

The ADAP waiting lists are simply the “Tip of the Iceberg” – because there lies a much more profound crisis looming as more states are restricting their eligibility and thus moving thousands of HIV-positive patients off of treatment.

This crisis cannot be solved using a “Robbing Peter to Pay for Paul’s Healthcare” strategy – that is, transferring funding from one program to pay for the shortfall facing the ADAPs. Unfortunately, some states have used this very approach to balance their budgets – including in California, where funding for HIV medications was eliminated from the prison system to help pay for the ADAP budget. Or in Pennsylvania, where funding for prevention programs have been slashed. Actions like this, while driven by state needs for balanced budgets, like restricted ADAP access simply guarantee bad health outcomes for the HIV-positive patients impacted. It also increases future health costs from all healthcare funding streams to deal with medical costs which could have been avoided by timely access to ARV treatment.

The crisis cannot be solved using a band-aid remedy, which is what we’ve seen, suggested in various government quarters, we need your leadership on this issue and we need it now! Only you have the ability to solve the ongoing ADAP crisis immediately by bringing the ACCESS ADAP Act to the House and Senate Floors for an up or down vote, or finding alternative means of supplying the necessary \$101 million. In this circumstance, loss of time does mean loss of both health and future loss of public and private treasure.

The time has come to End The Wait!

Sincerely,

NATIONAL ORGANIZATIONS:

ADAP Advocacy Association (aaa+) – Washington, DC
 AIDS Alliance for Children, Youth & Families - Washington, DC
 AIDS Healthcare Foundation (AHF) – Los Angeles, CA
 AIDS Treatment Activists Coalition – New York, NY
 American Social Health Association – Washington, DC
 Beyond Care – Chicago, IL
 Community Access National Network (CANN) – Washington, DC
 Dab the AIDS Bear Project – Fort Lauderdale, FL
 HealthHIV – Washington, DC
 HIV Dental Alliance – Atlanta, GA
 HIVictorious – Madison, WI
 Housing Works – New York, NY
 Latino Commission on AIDS – New York, NY
 Medical Advocates/ADAP Fund – Chicago, IL
 National Association of People with AIDS (NAPWA) – Silver Springs, MD

NATIONAL ORGANIZATIONS CON'T:

National Housing Coalition – Washington, DC
 Pacientes de SIDA pro Política Sana – San Juan, P.R.
 Patient Services Incorporated – Midlothian, VA
 POZIAM – Levittown, PA
 Project Inform – San Francisco, CA
 Save America's ADAPs
 The Phoenix Group Foundation, Inc. – Hapeville, GA
 Treatment Action Group – New York, NY
 U.S. Positive Women's Network – San Francisco, CA

STATE ORGANIZATIONS:

A Brave New Day – Jackson, MS
 AIDS Alabama – Birmingham, AL
 AIDS Care Ocean State – Providence, RI
 AIDS LIFE Campaign – Hartford, CT
 Arkansas HIV Consumer Advisory Board – Little Rock, AR
 Campaign To END AIDS Texas – Dallas, TX
 Connecticut AIDS Resource Coalition – Hartford, CT
 Delaware HIV Consortium – Wilmington, DE
 Delaware HIV Consortium Planning Council – Wilmington, DE
 Delaware HIV Consortium Policy Committee – Wilmington, DE
 Georgia HIV Advocacy Network – Atlanta, GA
 Georgia Rural Urban Summit – Decatur, GA
 HIV/AIDS Advocacy Network – Albuquerque, NM
 Keep ADAP Alive – Indianapolis, IN
 Kentucky HIV/AIDS Advocacy Action Group (KHAAG) – Louisville, KY
 Louisiana AIDS Advocacy Network (LAAN) – New Orleans, LA
 Louisiana Community AIDS Partnership – New Orleans, LA
 Maui AIDS Foundation – Wailuku, HI
 Michigan Positive Action Coalition (MI-POZ) – Detroit, MI
 Nebraska AIDS Project – Omaha, NE
 NO/AIDS Task Force – New Orleans, LA
 North Carolina AIDS Action Network – Raleigh, NC
 Positive Iowans Taking Charge (PITCH) – Des Moines, IA
 Poz Awareness 4 Positive Change Foundation – Oklahoma City, OK
 SisterLove – Atlanta, GA
 South Carolina Campaign to End AIDS (SC-C2EA) – Columbia, SC
 Tennessee Equality Project – Nashville, TN
 Tennessee Equality Project Political Action Committee (Registered PAC) – Nashville, TN

LOCAL ORGANIZATIONS:

- Acadiana C.A.R.E.S. - Lafayette, LA
- Access Community Health Network – Chicago, IL
- ACCESS Network – Ridgeland, SC
- ACT UP Philadelphia – Philadelphia, PA
- African American Outreach Initiative – Atlanta, GA
- AID Atlanta – Atlanta, GA
- AID Gwinnett – Duluth, GA
- AIDS Action Baltimore – Baltimore, MD
- AIDS Legal Referral Panel – San Francisco, CA
- AIDS Service Association of Pinellas – St. Petersburg, FL
- AIDS Taskforce of Greater Cleveland – Cleveland, OH
- Alameda County Public Health Department Office of AIDS Administration – Oakland, CA
- Atlanta AIDS Partnership – Atlanta, GA
- Atlanta Family Circle: Ryan White Part D Network – Atlanta, GA
- Birmingham AIDS Outreach – Birmingham, AL
- Boulder County AIDS Project – Boulder, CO
- Brandywine Counseling & Community Services – Wilmington, DE
- Broward House – Fort Lauderdale, FL
- Careteam – Myrtle Beach, FL
- Central City AIDS Network – Macon, GA
- Central Illinois FRIENDS of People with AIDS – Peoria, IL
- Central Panhandle AIDS Network – Marianna, FL
- Chattanooga CARES HIV AIDS Resource Center – Chattanooga, TN
- Christiana Care Health Services Inc HIV Program – Wilmington, DE
- Citywide Project – Atlanta, GA
- Colorado AIDS Project – Denver, CO
- Consumer Advisory Board for Franklin Primary Health Center, Inc. – Mobile, AL
- Cook County Health and Hospitals System – Chicago, IL
- Desert AIDS Project – Palm Springs, CA
- Family Health Center – New Orleans, LA
- First Nations Community HealthSource – Albuquerque, NM
- Florida Area 1 RW Part B Consortium – Pensacola, FL
- Florida Keys HIV Community Planning Partnership – Key West, FL
- Grady Health System, Infectious Disease Program – Atlanta, GA
- Greater Community AIDS Project (GCAP) – Champaign, IL
- HealthSTAT – Atlanta, GA
- HIV Wellness Clinic – Georgetown, DE
- HIV/AIDS Services for African Americans in Alaska – Anchorage, AK
- Hope and Help Center of Central Florida – Winter Park, FL
- Hope Through Divine Intervention – Atlanta, GA
- iD Arts Magazines – Jacksonville, FL
- International AIDS Empowerment – El Paso, TX

LOCAL ORGANIZATIONS CON'T:

Kent Sussex Counseling Services – Dover, DE
LEADERSHIP Counts! – Mobile, AL
Liberty Research Group, HIV/AIDS Advocates and Consultants – Rochester, NY
McGregor Clinic – Fort Myers, FL
Mobile AIDS Coalition – Mobile, AL
Nightsweats & T-cells – Cleveland, OH
Northeast TN Region Advocacy Group – Knoxville, TN
Northern Colorado AIDS Project – Fort Collins, CO
Oasis – Fort Walton Beach, FL
Okaloosa County Health Department, Ryan White Program – Fort Walton Beach, FL
Pasco AIDS Support Community Organization – New Port Richey, FL
Phi Beta Sigma Fraternity, Inc., Zeta Upsilon Sigma Chapter – Mobile, AL
Positive East Tennesseans – Knoxville, TN
Positive Living Program at TCN Behavioral Health Services, Inc. – Xenia, OH
Positively U – Lakeland, FL
Project Lazarus – New Orleans, LA
Redwood AIDS Information Network & Services (RAINS) – Redway, CA
Rocky Mountain CARES – Denver, CO
Rowan Regional HIV Case Management – Salisbury, NC
Silent Partners – Washington, DC
Simfarose Pharmacy – Pembroke Pines, FL
Street-Works – Nashville, TN
South Broward Hospital District Memorial Healthcare System – Dania Beach, FL
Southern Colorado AIDS Project – Colorado Springs, CO
Test Positive Aware Network – Chicago, IL
TILTT – Atlanta, GA
The Women's Collective – Washington, DC
Western North Carolina AIDS Project – Asheville, NC
Who's Positive – Charlottesville, VA
Women With A Vision – New Orleans, LA
Voix La Tortue – Miami, FL
Volunteers of America Greater Baton Rouge – Baton Rouge, LA