

**Congress of the United States**  
**Washington, DC 20515**

August 12, 2011

The Honorable Kathleen Sebelius  
Secretary of Health and Human Services  
Hubert H. Humphrey Building  
200 Independence Ave., SW  
Washington, D.C. 20201

Dear Secretary Sebelius:

We write as members of the South Florida Congressional delegation regarding the \$50 million in emergency relief funding recently announced by the Health Resources and Services Administration (HRSA) for our nation's AIDS Drug Assistance Program (ADAP). In particular, we would like to thank you for amending the disbursement guidance for these funds, which now provides for a maximum award to be "the greater of the amount that a state received in emergency relief funding in fiscal year 2010 or \$3 million." However, while we commend and support this effort to help improve access to lifesaving drugs for low-income individuals living with HIV/AIDS, we remain concerned that these new awards are not sufficient. This funding will help Florida continue treating current ADAP patients but will not reduce its waiting list, which is the largest in the country. Therefore, we strongly urge you to reconsider your decision and provide Florida with ADAP emergency relief funding that is commensurate with its need.

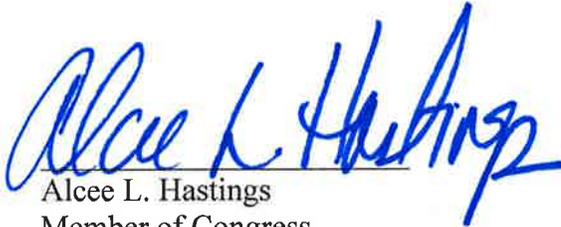
As you well know, our nation faces an HIV/AIDS crisis that has been severely exacerbated by the ongoing shortfall in ADAP funding. Currently, there are 9,039 individuals on ADAP waiting lists in 13 states. Alarming, Florida accounts for approximately 42 percent of these cases with 3,751 individuals on the list. Furthermore, Florida is one of many ADAP states that have reduced its formulary in an effort to contain costs, leaving countless more individuals without access to the HIV/AIDS drugs and related services they need to stay alive. To make matters worse, the State of Florida has proposed reducing its income eligibility requirement to qualify for ADAP from 400 percent of the federal poverty level (FPL) to 200 percent.

In July 2010, HRSA reallocated \$25 million in emergency funding to provide much-needed relief to states with ADAP waiting lists and cost-containment measures. At the time, there were 2,090 individuals on ADAP waiting lists in 11 states. Florida accounted for 605 (26 percent) of these cases and received \$7 million (28 percent) in emergency funds. While the number of individuals on Florida's ADAP waiting list has since increased more than fivefold, the State may receive no more than \$7 million (18 percent) from this year's competitive funds. At a minimum, this is the amount Florida needs to continue treating current ADAP patients. Insufficient funding means that Florida's waiting list will only grow larger with each passing month. Given that Florida is home to 42 percent of all ADAP waiting list cases nationwide, we request that it receive 42 percent of the emergency funding available.

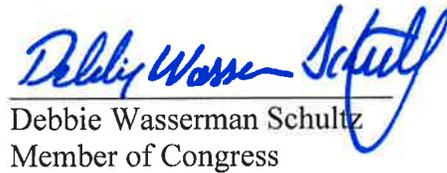
Increasing access to treatment remains key to eliminating our nation's ADAP waiting lists and reducing the spread of HIV/AIDS. Unless award amounts are calculated based on the size of a state's ADAP waiting list, Florida will be forced to maintain its waiting list and continue denying treatment to those most in need. This will not only have a devastating effect on the health of these individuals, but on HIV/AIDS prevention and treatment efforts in our state as a whole. If we are to be successful in improving the health outcomes of people living with HIV/AIDS and preventing the transmission of HIV, we must fund ADAP appropriately in the long-term.

Secretary Sebelius, thank you for your consideration of this urgent matter. We need your help to make sure that Florida and other ADAP states can provide low-income individuals living with HIV/AIDS access to the treatment they need to stay alive and stem the tide of new infections. Providing awards proportional to state need will maximize efforts to help alleviate ADAP waiting lists and end cost-containment measures. It is our sincere hope that our combined efforts will provide much-needed relief to our nation's HIV/AIDS community and ensure the integrity of ADAP in the years to come. Should you have any questions, please do not hesitate to contact us.

Sincerely,



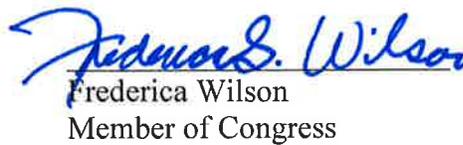
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