



# Children's Advocacy ALLIANCE

The Children's Advocacy  
Alliance, a nonprofit,  
nonpartisan advocacy  
organization

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## Official Statement of the Children's Advocacy Alliance on the SUNSET Rule

The Children's Advocacy Alliance, a nonprofit, nonpartisan advocacy organization in Nevada, respectfully requests HHS withdraw the proposed SUNSET rule. Medicaid and CHIP provide health insurance for nearly 700,000 Nevadans—approximately half of which are children. Rigorous "reviews" and "assessments" of current regulations, despite a lack of changes to statutory provisions, will disrupt these essential programs at both state and federal levels.

SUNSET would place an excessive burden on CMS and divert valuable resources from the oversight required to properly run Medicaid, Medicare, and CHIP. Children and families will suffer if, while COVID ravages our healthcare systems, states and stakeholders must devote resources to reinterpreting regulations and ensuring compliance with new CMS regulatory processes. During this pandemic, CMS must focus on effectively administering programs rather than reviewing and reassessing thousands of regulations.

Section 1102 of the Social Security Act does not authorize the Secretary of HHS to write automatic expiration dates into regulations. The Regulatory Flexibility Act, cited by the Department as authority for this proposal, simply requires agencies "plan for the periodic review of rules that have or will have a significant economic impact upon a substantial number of small entities." SUNSET is far from "periodic review", and it will have a significant, harmful economic impact—on overburdened, under resourced systems during this most fraught time in our nation.

Dr. Tiffany Tyler-Garner, Executive Director

Dr. Kelly Bumgarner, Director of Health Policy