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Congress of the United States
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COMMISSION)

January 23, 2023

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Becerra,

I am writing to seek your assistance to ensure the health and safety of Tennesseans living with and at high risk for contracting HIV by providing HIV treatment and prevention funding directly to county health departments and community organizations due to the Tennessee Department of Health's (TDH's) refusal to continue participation in the CDC's Prevention and Ending the HIV Epidemic (EHE) initiative.

On January 19, 2023, Tennessee Governor Bill Lee's administration sent notification to United Way of Greater Nashville, which since 2016 has been the Lead Agency with the primary responsibility of implementing HIV/AIDS strategies throughout the state, that as of May 31, 2023, TDH is terminating all CDC Prevention and EHE contracts within the state. In 2021, the CDC Prevention and EHE initiative provided \$2.09 million for HIV treatment, counseling and treatment strategies across the state, particularly in high-risk communities such as my hometown of Memphis. In Tennessee's Ninth District which I represent, a number of organizations including Friends for Life, Hope House, OutMemphis, Planned Parenthood, Regional One Medical Center and the world-renowned St. Jude Children's Research Hospital will no longer have access to funding from this initiative to address the HIV epidemic.

Governor Lee's decision to end participation in the CDC Prevention and EHE program will limit Tennesseans access to lifesaving health care, which is already hampered by the state's repeated refusal to expand Medicaid under the Affordable Care Act. Approximately 12.1 percent of Tennesseans (666,116) do not have health insurance, a rate 16 percent higher than the national

average of 10.4 percent.¹ The uninsured rates are even higher in my district with 13.7 percent uninsured in Shelby County and 11.2 percent in Tipton County.² Additionally, there are 20,200 people with HIV in Tennessee, approximately 14 percent of whom are unaware of their status.³ Combined, Shelby and Tipton Counties are home to approximately 7,000 of those living with HIV in Tennessee.⁴ Blatant rejection of federal funds that would limit the impact of the HIV epidemic will disproportionately affect these populations of Tennesseans, as they will no longer be able to look to community partners for HIV treatment, counseling or prevention strategies.

This is not the first time that Governor Lee has left federal funding on the table. Under his leadership in 2019, Tennessee spent only \$21 million out of its \$190 million federal allocation on Temporary Assistance for Needy Families (TANF), which already had a documented total of \$571 million in unspent federal TANF dollars through Fiscal Year 2018. In 2020, Governor Lee did not distribute tens of millions of dollars' worth of Pandemic Electronic Benefits Transfer program (P-EBT) cards before the deadline set by the U.S. Department of Agriculture, preventing thousands of children and families from receiving support to buy food. This troubling trend of turning away support from our nation's social safety net is deeply concerning.

In light of Tennessee's abrupt decision to return vital federal funding for HIV programs, I respectfully request your intervention to transfer any remaining funding from this program from the Tennessee Department of Health to local health departments within the state. I also ask that you work with my office, the Shelby County and Tipton County Health Departments, and community partners such as those listed above to identify ways to secure federal funding for HIV prevention and treatment.

I appreciate your attention to this request. Please contact Craig Dulniak in my office at craig.dulniak@mail.house.gov with any questions or follow-up.

As always, I remain,

Most Sincerely,



Steve Cohen
Member of Congress

Cc: Rochelle Walensky, MD, MPH, CDC Director

¹ State Health Care Snapshots: Tennessee. Kaiser Family Foundation, 2020. <https://www.kff.org/statedata/election-state-fact-sheets/tennessee/>

² How Uninsured Rates in Tennessee Counties Vary by Employment and Income. The Sycamore Institute, 2018. <https://www.sycamoreinstitutetn.org/uninsured-rates-in-tennessee-counties/>

³ HIV Prevention to End the HIV Epidemic in the United States: Tennessee. Centers for Disease Control and Prevention, 2022. <https://www.cdc.gov/hiv/pdf/policies/profiles/cdc-hiv-tennessee-SSP.pdf>

⁴ HIV Surveillance Reports. Tennessee Department of Health, 2020. <https://www.tn.gov/health/health-program-areas/statistics/health-data/hiv-data.html>