

State to sue U.S. over kids' health Bush plans veto of measure to increase medical coverage

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OLYMPIA — Gov. Chris Gregoire said Washington and seven other states will sue the Bush administration over restrictions on health coverage for children.

Gregoire said the government arbitrarily imposed new rules that prevent states from expanding the State Children's Health Insurance Program, a federal program that partners with the states to provide health care for kids.

More than 8,000 Washington children could be affected by the outcome, she said.

New Jersey filed suit Monday in federal court in Trenton, and Gregoire said Washington, New York and others will file a separate challenge in the Southern District of New York in a week or two. She added that Maryland, Illinois, California, Arizona and New Hampshire already have agreed to join forces.

Congress has passed a bill to expand the program, along with a big cigarette tax hike to pay for it. But President Bush plans to veto the bill and advocates don't have enough votes in the House to override.

In Whatcom County, 466 kids were insured last summer through the program, commonly known by its acronym, SCHIP.

In Washington state, the program provides health insurance for kids whose families earn up to 250 percent of the federal poverty level, or \$51,636 for a family of four.

Many of the kids who are covered under SCHIP have parents who are self-employed or who work for small businesses, said Wendy Carr, access coordinator for the Whatcom Alliance for Healthcare Access. Those parents often are looking for a way to insure their children other than paying several hundred dollars a month for a commercial plan, she said.

The Washington state Legislature voted this year to expand the program in 2009 to cover families with incomes up to three times the federal poverty level, or just under \$62,000 a year for a family of four.

Carr has kept a list of families who have asked about help with health insurance but who don't qualify for SCHIP now. They might be eligible when the state expands the program.

But the new federal rules that are the target of the lawsuit could jeopardize that expansion. The rules keep kids from enrolling in SCHIP unless they've been uninsured for a year. States aren't allowed to expand the program to higher-income kids without meeting strict enrollment thresholds for lower-income children.

"In Washington, we know that taking care of our kids not only makes good economic sense, but it is the right thing to do," Gregoire said. "The federal government should continue to be a partner, rather than a roadblock, to our children's health."

Gregoire said it's an issue that Washington residents seem to relate to viscerally. She said even people of some means find it tough to find affordable health care coverage, or to keep their older children covered.

Federal spokesman Jeff Nelligan defended the government's position: "We are confident that our requirements are appropriate and will be sustained in a court of law."

"Our chief goal with SCHIP is to ensure that the poorest kids and those with no health insurance are placed at the front of the line."

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