

# [***Georgia Sues Biden as Some Residents Face Losing Health Care***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B7R-C331-DY68-1007-00000-00&context=1516831)

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**Length:** 755 words

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**Highlight:** The state sued the Biden administration on Friday in an effort to win back "stolen implementation time" from Georgia Pathways to Coverage.

**Body**

The state of [*Georgia*](https://www.newsweek.com/topic/georgia?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) sued the [*Biden administration*](https://www.newsweek.com/topic/joe-biden?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) on Friday for more time for low-income residents to receive health care.

Republican Georgia Governor [*Brian Kemp*](https://www.newsweek.com/topic/brian-kemp?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) filed the lawsuit against the Centers for Medicare and [*Medicaid*](https://www.newsweek.com/topic/medicaid?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) Services (CMS) and the United States Department of Health and Human Services (HHS) in an effort to win back "stolen implementation time" from the Georgia Pathways to Coverage 1115 Demonstration Waiver.

Specifically, Georgia officials are looking to extend the program's launch time by three years. It's currently set to expire at the end of September 2025.

Georgia Pathways, which began in July 2023, had expanded Medicaid's coverage to tens of thousands previously ineligible, low-income Georgians, but the state says CMS delayed the coverage by rescinding "core elements" of the program despite approving the federal-state waiver in October 2020.

*Newsweek* reached out to Biden for comment via email.

"After the Biden administration's lengthy, failed attempt to interfere with Georgia's innovative plan to afford thousands of Georgians the opportunity to receive quality healthcare, they are back at it again," Kemp said in a statement, which was shared with *Newsweek*. "We beat them in court then, and now we are again asking for the federal government to adhere to the terms they agreed to rather than play ***politics*** by refusing to give us back the time they stole from delaying the Pathways rollout and implementation."

Georgia's Department of Community Health (DCH) Commissioner Russel Carlson said DCH been working to get the word out to eligible Georgians and enroll them in the right plans.

"I applaud Governor Kemp for working to give our team the opportunity to continue implementing this innovative program," Carlson said in a statement.

Georgia's Patients First Act was initially passed in 2019 and called for the DCH to be able to provide Medicaid coverage to those previously ineligible for the benefits.

While traditional Medicaid is offered to residents earning up to 133 percent of the federal poverty level, the Georgia Pathways program extended this to up to 100 percent of the federal poverty level.

The new coverage was modeled after the existing Temporary Assistance for Needy Families federal program, and CMS gave full approval in 2020.

Weeks after Biden was inaugurated, though, CMS sent Georgia a letter declaring it was "reconsidering" the previous approval of Georgia Pathways, the state said in a press release.

On December 23, 2021, CMS rescinded its approval of Georgia Pathways, saying the qualifying hours and premium requirements didn't meet its standards. Specifically, it looked at the part of the Pathways program for work requirements saying financially eligible Georgians must spend 80 monthly hours doing work, studying, in rehabilitation or volunteering to be eligible.

Following this, Georgia filed a lawsuit to get Georgia Pathways in effect based on the initial agreed upon terms. That summer, in August, a federal court ruled in Georgia's favor, allowing preparations to begin for Pathways' launch.

At the time, Kemp said the Biden administration was obstructing the state's ability to provide health care for upwards of 50,000 Georgia families.

"They have attempted an unlawful regulatory bait and switch, and it is clear that their decision is not being driven by policy – rather ***politics*** – as they attempt to force their top-down agenda on the American people," the governor said in 2022.

Elected officials say the blockage from Biden's administration came down to partisanship and did not look at the actual policy's impact.

"The Biden administration's misguided actions were not based on the law or sound public policy, but rather crass partisan ***politics***," said Georgia's Attorney General Chris Carr at the time. "We look forward to fighting for Georgia's right to provide common sense healthcare solutions for our citizens."

As of December 15, 2023, there were 2,344 enrolled active beneficiaries in the Pathways program.

"There has been a back and forth struggle between the Biden administration and Georgia, largely over the 'activity' requirement in the Georgia Pathways program," Michael Giusti, an insuranceQuotes.com analyst, told *Newsweek.*

If Georgia is successful in keeping its work requirement in its Medicaid coverage, other southern states might look to emulate that policy, Giusti said.

"The shame of all of this is that while the Biden administration and Georgia go back and forth, thousands of Georgians are not able to access healthcare," he added.

[*Link to Image*](https://d.newsweek.com/en/full/2344265/brian-kemp.jpg)

**Graphic**

Brian Kemp

Megan Varner/Getty Images

Republican Gov. Brian Kemp speaks at an event hosted by Conservative radio host Erick Erickson on August 18, 2023 in Atlanta, Georgia. The first debate of the Republican Presidential primary is set to take place August 23, 2023.

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