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Contact: Tonda F. Rush, 703 237 9801

**NEWSPAPER ORGANIZATIONS TELL HHS PUBLIC NOTICE TO MEDICAID RECIPIENTS
ON STATE WEBSITES IS INADEQUATE; AND
HURTS THE POOR, THE DISABLED AND MINORITIES**

No government website notice can provide the audience, authenticity and archivability that a newspaper can provide with its printed notice-of-record and the newspaper's website, a coalition of newspaper organizations told the Centers for Medicaid & Medicaid Services (CMS) at the US Department of Health and Human Services this week.

HHS/CMS has proposed removing all newspaper notice to Medicaid recipients and instead directing states to post them solely on state government websites. A coalition comprising the Public Notice Resource Center, National Newspaper Association, Newspaper Association of America and American Court and Commercial Newspapers strongly opposes the move.

"Any Internet notice is an inadequate substitute for a printed, fixed newspaper notice, although our organizations believe the Internet should be actively used by both CMS and newspapers to extend the reach of printed notices," the coalition said. "State government Internet sites do not have a strong readership. Public notices in a newspaper, particularly when supplemented by a newspaper website, are more likely to be read than notices on a government Internet site."

The group also pointed out that the cost and accessibility barriers for Internet use pose a particular problem for the population targeted by Medicaid notices. The elderly, the disabled, rural citizens and minority groups have been demonstrated again and again by independent studies as less able to use Internet services.

- A recent survey by *George Washington University School of Media and Public Affairs* found that people over 60 years of age face a substantial digital divide with people who are younger;
- The *Pew Research Center*, found that only 26% of the people they surveyed that were 65 years or older, used the Internet;
- *MediaPost*, a leading news and research resource for media, marketing and advertising professionals, released a survey showing only 4/10 of minorities regularly used the Internet;
- The *US Department of Commerce's National Telecommunications and Information Administration*, reports in the "Digital Nation Expanding Internet Usage" that many rural areas use dial-up connections because broadband is unavailable.

The coalition said HHS should observe the four traditional elements of public notice: published by an independent party, accessible, authenticated and archived. Being unable to guarantee that

state governments would allocate sufficient resources to accomplishing the costly and difficult missions of proper authentication and archiving, HHS would put public notice at risk by depending solely upon state web sites.

Furthermore, the demonstrably low readership of government websites makes them inadequate venues for reaching the public.

“States are not in the business of building readership. Just as governments do not have expertise in bridge-building, and so they outsource bridge construction to contractors, governments do not have expertise in building audience, so they outsource public notices to newspapers. It is in a newspaper’s interest to have and continue to build a strong following of readers, both in print and on the Internet,” the coalition said. It recommended that the HHS proposal be revised to continue newspaper publication.