



**AMERICAN
PUBLIC
TRANSPORTATION
ASSOCIATION**

June 1, 2009

Centers for Medicare and Medicaid Services
Department of Health and Human Services
Attn: CMS-2287-P
Post Office Box 8010
Baltimore, Maryland 21244-8010

RE: Comments to Docket Number CMS-2287-P2

Dear Acting Administrator Frizzera:

On behalf of the almost 1,500 member organizations of the American Public Transportation Association (APTA), I write to provide comment on the Centers for Medicare and Medicaid Services' (CMS) Notice of Proposed Rulemaking (NPRM) concerning Rescission of School-Based Services Final Rule, published May 6, 2009, at 74 FR 21232.

About APTA

APTA is a non-profit international trade association of almost 1,500 public and private member organizations, including transit systems; planning, design, construction and finance firms; product and service providers; academic institutions; and state associations and departments of transportation. More than ninety percent of Americans who use public transportation are served by APTA member transit systems.

APTA Fully Supports the Proposed Rescission

For the reasons stated in our November 1, 2007 comments to the docket, APTA fully supports the proposal to rescind this unreasonable final rule. As promulgated, that rule would have taken necessary services from a particularly vulnerable population, disrupted state and local budgets at the worst possible time, and violated the most basic precepts of coordinated transportation planning, all without accomplishing the stated goal of curbing program abuse and by achieving "savings" at the expense of those least able to shoulder the burden. We applaud this proposal and your dedication to reviewing policies and practices with full consideration of the broad impacts those policies and practices have.

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We greatly appreciate the opportunity to assist CMS in this and other aspects of coordinating human services based transportation services and stand ready to provide information, research, or other assistance. For additional information, please contact James LaRusch of APTA's Executive Office at (202) 496-4808 or jlarsch@apta.com.

Sincerely yours,

William W. Millar
President

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