
From: "adams, lia (CMS/CMCS)" <Lia.Adams@cms.hhs.gov>
Sent: 3/15/2023 4:02:18 PM -0400
To: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>
CC: CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>; CMS - FMG-Division Directors <FMG-DivisionDirectors@cms.hhs.gov>
Subject: RE: RE: FMG Tracking Chart - March

FMG Daily Tracker

SharePoint Links: [FMG Daily Read Out \(doc\)](#) [FMG Issues Tracking \(excel\)](#)

Date Updated: Wednesday, March 15, 2023

OGD Review Folder (linked): *the following lists items that are pending approval/review/next steps by OGD*

I. For OGD Approval

II. For OGD Review

Potential Agenda Items: *the following lists clearance meetings and associated potential FMG agenda items*

I. CMCS with OS

II. CMCS Issues with OA

Next Meetings: Monday, March 20; Wednesday, March 29

- a. Potential Missouri Deferral – aim for Mar 20th
- b. CCBHC PPS Options – aim for March 29th (agenda due Monday, March 20th; paper due Tuesday, March 21st)
- c. School-based Services Guide – Prior to guidance release – early May 2023

CMCS Issues with OA – Follow-Up

III. Joint Clearance

Next Meeting: Thursday, March 23rd; **Materials due** Tuesday, March 21st at 4 PM ET

Next Meeting: Thursday, April 13th; **Materials due** Tuesday, April 11th

- a. School-based services update/CIB (guidance implementation options, TAC, grants) â€" aim for Mar 23rd ?
- b. California Estimated Claims deferral â€" aim for Mar 23rd
- c. Indiana Admin Claiming SPMP Disallowance â€" aim for Apr 13
- d. New York IMD Chargeback Credit Credits FMR â€" aim for Apr 13
- e. Audit backlog inventory â€" aim for Apr 13
- f. Missouri Hospital Tax Disallowance (FMG 8/31) â€" aim for Apr 13
- g. Missouri Group Home Services Rates Disallowance (FMG 9/07) â€" aim for Apr 13
- h. Two Michigan OIG Disallowances â€" aim for Apr 13
- i. RMTS Intervals Policy â€" (with Rory as of 02/27/2023) TBD or send offline
- j. Michigan NEMT OIG Audit \$4.5 Million (FMG 01/18) â€" aim for ??
- k. Florida OIG Audit Settlement â€" aim for ??
- l. DSH Allotment Reductions â€" aim for ??

On Hold

- m. Connecticut TCF Disallowance (FMG 5/25) â€" On Hold â€" pending Delaware Disallowance outcome
- n. Texas DSRIP Demand Letter â€" aim for ?? (Division running issue through OGC)
- o. Financing strategy/SMDL â€" On Hold â€" check-back in March

Speaking Requests

- a. Ground Ambulance & Patient Billing Advisory Committee (DRP) â€" meeting in March

Joint Clearance â€" Follow-Up

- Delaware Disallowance MAP/ADM TCF (04/14) Re-raise to OCD once we hear back from OGC; Night Note to be cleared before release
- DSH Email to States (02/09) â€" aim to week of March 27th
- New York Pending SPAs (03/09) â€" work with SDG/DEHPG to develop chart
- Grant PMS Withdrawals/ Closeout Update / Demand Letter (03/09) â€" update CIB
- School-based services billing/MMIS (03/09) â€" separate meeting with OCD to continue discussion

IV. Cross Cutting

Next Meeting: Thursday, Mar 16th; **Materials due** Tuesday, Mar 14th at 4 PM ET

V. FMG/OCD Touch Base

Next Meeting: Thursday, April 13th

FMG/OCD TB â€" Follow-Up

- Strategy for outstanding disallowances â€" bring back fleshed-out proposed approach

From: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>

Sent: Monday, March 13, 2023 3:37 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS)

<Jeremy.Silanskis@cms.hhs.gov>

Cc: CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>; CMS - FMG-Division Directors <FMG-DivisionDirectors@cms.hhs.gov>

Subject: RE: FMG Tracking Chart - March

FMG Daily Tracker

SharePoint Links: [FMG Daily Read Out \(doc\)](#) [FMG Issues Tracking \(excel\)](#)

Date Updated: Monday, March 13, 2023

OGD Review Folder (linked): *the following lists items that are pending approval/review/next steps by OGD*

I. For OGD Approval

II. For OGD Review

Potential Agenda Items: *the following lists clearance meetings and associated potential FMG agenda items*

I. CMCS with OS

II. CMCS Issues with OA

Next Meetings: Wednesday, March 15; Monday, March 20; Wednesday, March 29

- a. Potential Missouri Deferral – aim for Mar 20th (agenda due Monday, March 13th; paper due Tuesday, March 14th)
- b. School-based Services Guide – Prior to guidance release – early May 2023

CMCS Issues with OA – Follow-Up

- a. California MCO Tax (03/09) – OGD readout ?

III. Joint Clearance

Next Meeting: Thursday, March 23rd; **Materials due** Tuesday, March 14th at 4 PM ET

- a. School-based services update/CIB (guidance implementation options, TAC, grants) â€" aim for Mar 23rd ?
- b. Indiana Admin Claiming SPMP Disallowance â€" aim for Apr 6
- c. New York IMD Chargeback Credit Credits FMR â€" aim for Apr 6
- d. Audit backlog inventory â€" aim for Apr 6
- e. Missouri Hospital Tax Disallowance (FMG 8/31) â€" aim for Apr 6
- f. Missouri Group Home Services Rates Disallowance (FMG 9/07) â€" aim for Apr 6
- g. Two Michigan OIG Disallowances â€" aim for Apr 6
- h. RMTS Intervals Policy â€" (with Rory as of 02/27/2023) TBD or send offline
- i. Michigan NEMT OIG Audit \$4.5 Million (FMG 01/18) â€" aim for ??
- j. Florida OIG Audit Settlement â€" aim for ??
- k. DSH Allotment Reductions â€" aim for ??

On Hold

- l. Connecticut TCF Disallowance (FMG 5/25) â€" On Hold â€" pending Delaware Disallowance outcome
- m. Texas DSRIP Demand Letter â€" aim for ?? (Division running issue through OGC)
- n. Financing strategy/SMDL â€" On Hold â€" check-back in March

Speaking Requests

- a. Ground Ambulance & Patient Billing Advisory Committee (DRP) â€" meeting in March

Joint Clearance â€" Follow-Up

- Delaware Disallowance MAP/ADM TCF (04/14) Re-raise to OCD once we hear back from OGC; Night Note to be cleared before release
- DSH Email to States (02/09) â€" aim to week of March 27th
- New York Pending SPAs (03/09) â€" work with SDG/DEHPG to develop chart
- Grant PMS Withdrawals/ Closeout Update / Demand Letter (03/09) â€" update CIB
- School-based services billing/MMIS (03/09) â€" separate meeting with OCD to continue discussion

IV. Cross Cutting

Next Meeting: Thursday, Mar 16th; **Materials due** Tuesday, Mar 14th at 4 PM ET

V. **FMG/OCD Touch Base**

Next Meeting: Thursday, April 13th

FMG/OCD TB â€" Follow-Up

- Strategy for outstanding disallowances â€" bring back fleshed-out proposed approach

From: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>

Sent: Thursday, March 9, 2023 3:41 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>; CMS - FMG-Division Directors <FMG-DivisionDirectors@cms.hhs.gov>

Subject: RE: FMG Tracking Chart - March

FMG Daily Tracker

SharePoint Links: [FMG Daily Read Out \(doc\)](#) [FMG Issues Tracking \(excel\)](#)

Date Updated: Thursday, March 09, 2023

OGD Review Folder (linked): *the following lists items that are pending approval/review/next steps by OGD*

I. For OGD Approval

II. For OGD Review

Potential Agenda Items: *the following lists clearance meetings and associated potential FMG agenda items*

I. CMCS with OS

II. CMCS Issues with OA

Next Meetings: Wednesday, March 15; Wednesday, March 29

- a. Potential Missouri Deferral – aim for Mar 22nd (agenda due Monday, March 13th; paper due Tuesday, March 14th)
- b. School-based Services Guide – Prior to guidance release – early May 2023

CMCS Issues with OA – Follow-Up

- a. California MCO Tax (03/09) – OGD readout ?

III. Joint Clearance

Next Meeting: Thursday, March 9th; **Materials due** Tuesday, March 7th at 4 PM ET

- a. School-based services update/CIB (guidance implementation options, TAC, grants) â€" aim for Mar 23rd ?
- b. New York IMD Chargeback Credit Credits FMR â€" aim for Mar 23rd
- c. Audit backlog inventory â€" aim for Mar 23rd
- d. Missouri Hospital Tax Disallowance (FMG 8/31) â€" aim for Mar 23rd
- e. Missouri Group Home Services Rates Disallowance (FMG 9/07) â€" aim for Mar 23rd
- f. Two Michigan OIG Disallowances â€" aim for Mar 23rd
- g. Indiana Admin Claiming SPMP Disallowance â€" aim for Mar 9 or 23 ?
- h. RMTS Intervals Policy â€" (with Rory as of 02/27/2023) TBD or send offline
- i. Michigan NEMT OIG Audit \$4.5 Million (FMG 01/18) â€" aim for ??
- j. Florida OIG Audit Settlement â€" aim for ??
- k. DSH Allotment Reductions â€" aim for ??

On Hold

- l. Connecticut TCF Disallowance (FMG 5/25) â€" On Hold â€" pending Delaware Disallowance outcome
- m. Texas DSRIP Demand Letter â€" aim for ?? (Division running issue through OGC)
- n. Financing strategy/SMDL â€" On Hold â€" check-back in March

Speaking Requests

- a. Ground Ambulance & Patient Billing Advisory Committee (DRP) â€" meeting in March

Joint Clearance â€" Follow-Up

- Delaware Disallowance MAP/ADM TCF (04/14) Re-raise to OCD once we hear back from OGC; Night Note to be cleared before release
- DSH Email to States (02/09) â€" Connect with AMC/Sara to add to NAMD meeting
- New York Pending SPAs (03/09) â€" work with SDG/DEHPG to develop chart

- Grant PMS Withdrawals/ Closeout Update / Demand Letter (03/09) – update CIB
- School-based services billing/MMIS (03/09) – separate meeting with OCD to continue discussion

IV. Cross Cutting

Next Meeting: Thursday, Mar 16th; **Materials due** Tuesday, Mar 14th at 4 PM ET

V. FMG/OCD Touch Base

Next Meeting: Thursday, April 13th

FMG/OCD TB – Follow-Up

- Strategy for outstanding disallowances – bring back fleshed-out proposed approach

From: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>
Sent: Wednesday, March 8, 2023 4:21 PM
To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>; CMS - FMG-Division Directors <FMG-DivisionDirectors@cms.hhs.gov>
Subject: RE: FMG Tracking Chart - March

FMG Daily Tracker

SharePoint Links: [FMG Daily Read Out \(doc\)](#) [FMG Issues Tracking \(excel\)](#)

Date Updated: Wednesday, March 08, 2023

OGD Review Folder (linked): *the following lists items that are pending approval/review/next steps by OGD*

I. For OGD Approval

II. For OGD Review

Potential Agenda Items: *the following lists clearance meetings and associated potential FMG agenda items*

I. CMCS with OS

II. CMCS Issues with OA

Next Meetings: Thursday, March 9; Wednesday, March 15

- a. California MCO Tax – aim for March 9
- b. School-based Services Guide – Prior to guidance release – early May 2023
- c. Potential Missouri Deferral – aim for Mar 22nd (agenda due Monday, March 13th; paper due Tuesday, March 14th) – pending OGD connecting with OCD on timing at FMG:OCD TB

CMCS Issues with OA – Follow-Up

III. Joint Clearance

Next Meeting: Thursday, March 9th; **Materials due** Tuesday, March 7th at 4 PM ET

- a. New York Pending SPAs – aim for Mar 9th
- b. Grant PMS Withdrawals/ Closeout Update / Demand Letter – aim for Mar 9th
- c. School-based services billing/MMIS – aim for Mar 9th
- d. New York IMD Chargeback Credit Credits FMR – aim for Mar 23rd

- e. Audit backlog inventory â€" aim for Mar 23rd
- f. Missouri Hospital Tax Disallowance (FMG 8/31) â€" aim for Mar 23rd
- g. Missouri Group Home Services Rates Disallowance (FMG 9/07) â€" aim for Mar 23rd
- h. Two Michigan OIG Disallowances â€" aim for Mar 23rd
- i. Indiana Admin Claiming SPMP Disallowance â€" aim for Mar 9 or 23 ?
- j. School-based services update/CIB (guidance implementation options, TAC, grants) â€" aim for Mar 23rd ?
- k. RMTS Intervals Policy â€" (with Rory as of 02/27/2023) TBD or send offline
- l. Michigan NEMT OIG Audit \$4.5 Million (FMG 01/18) â€" aim for ??
- m. Florida OIG Audit Settlement â€" aim for ??
- n. DSH Allotment Reductions â€" aim for ??

On Hold

- o. Connecticut TCF Disallowance (FMG 5/25) â€" On Hold â€" pending Delaware Disallowance outcome
- p. Texas DSRIP Demand Letter â€" aim for ?? (Division running issue through OGC)
- q. Financing strategy/SMDL â€" On Hold â€" check-back in March

Speaking Requests

- a. Ground Ambulance & Patient Billing Advisory Committee (DRP) â€" meeting in March

Joint Clearance â€" Follow-Up

- Delaware Disallowance MAP/ADM TCF (04/14) Re-raise to OCD once we hear back from OGC; Night Note to be cleared before release
- DSH Email to States (02/09) â€" Connect with AMC/Sara to add to NAMD meeting

IV. Cross Cutting

Next Meeting: Thursday, Mar 16th; **Materials due** Tuesday, Mar 14th at 4 PM ET

V. FMG/OCD Touch Base

February Meeting: Thursday, March 9th

- a. Missouri Deferral
- b. DSH Email to States
- c. Nevada Attestation
- d. California UIS Deferral Calculation
- e. West Virginia GCW Approval on PPAs

FMG/OCD TB " Follow-Up

- Strategy for outstanding disallowances " bring back fleshed-out proposed approach

From: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>

Sent: Monday, March 6, 2023 4:05 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>; CMS - FMG-Division Directors <FMG-DivisionDirectors@cms.hhs.gov>

Subject: RE: FMG Tracking Chart - March

FMG Daily Tracker

SharePoint Links: [FMG Daily Read Out \(doc\)](#) [FMG Issues Tracking \(excel\)](#)

Date Updated: Monday, March 06, 2023

OGD Review Folder (linked): *the following lists items that are pending approval/review/next steps by OGD*

I. For OGD Approval

II. For OGD Review

Potential Agenda Items: *the following lists clearance meetings and associated potential FMG agenda items*

I. CMCS with OS

II. CMCS Issues with OA

Next Meetings: Wednesday, March 8; Wednesday, March 15

- a. California MCO Tax – aim for March 8 (paper due Tuesday, 02/28 at 4 PM; rewrites monitor Wednesday and Thursday)
- b. School-based Services Guide – Prior to guidance release – early May 2023
- c. Potential Missouri Deferral – aim for Mar 22nd (agenda due Monday, March 13th; paper due Tuesday, March 14th) – pending OGD connecting with OCD on timing at FMG:OCD TB

CMCS Issues with OA – Follow-Up

III. Joint Clearance

Next Meeting: Thursday, March 9th; **Materials due** Tuesday, March 7th at 4 PM ET

- a. New York Pending SPAs – aim for Mar 9th
- b. Grant PMS Withdrawals/ Closeout Update / Demand Letter – aim for Mar 9th
- c. School-based services billing/MMIS – aim for Mar 9th
- d. New York IMD Chargeback Credit Credits FMR – aim for Mar 23rd
- e. Audit backlog inventory – aim for Mar 23rd

- f. Missouri Hospital Tax Disallowance (FMG 8/31) â€" aim for Mar 23rd
- g. Missouri Group Home Services Rates Disallowance (FMG 9/07) â€" aim for Mar 23rd
- h. Two Michigan OIG Disallowances â€" aim for Mar 23rd
- i. Indiana Admin Claiming SPMP Disallowance â€" aim for Mar 9 or 23 ?
- j. School-based services update/CIB (guidance implementation options, TAC, grants) â€" aim for Mar 23rd ?
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- n. DSH Allotment Reductions â€" aim for ??

On Hold

- o. Connecticut TCF Disallowance (FMG 5/25) â€" On Hold â€" pending Delaware Disallowance outcome
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- q. Financing strategy/SMDL â€" On Hold â€" check-back in March

Speaking Requests

- a. Ground Ambulance & Patient Billing Advisory Committee (DRP) â€" meeting in March

Joint Clearance â€" Follow-Up

- Delaware Disallowance MAP/ADM TCF (04/14) Re-raise to OCD once we hear back from OGC; Night Note to be cleared before release
- DSH Email to States (02/09) â€" Connect with AMC/Sara to add to NAMD meeting

IV. Cross Cutting

Next Meeting: Thursday, Mar 16th; **Materials due** Tuesday, Mar 14th at 4 PM ET

V. FMG/OCD Touch Base

February Meeting: Thursday, March 9th

- a. Missouri Deferral
- b. DSH Email to States

FMG/OCD TB " Follow-Up

- Strategy for outstanding disallowances " bring back fleshed-out proposed approach

From: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>

Sent: Thursday, March 2, 2023 4:09 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: CMS - FMG Front Office <FMGFrontOffice@cms.hhs.gov>; CMS - FMG-Division Directors <FMG-DivisionDirectors@cms.hhs.gov>

Subject: FMG Tracking Chart - March

FMG Daily Tracker

SharePoint Links: [FMG Daily Read Out \(doc\)](#) [FMG Issues Tracking \(excel\)](#)

Date Updated: Thursday, March 02, 2023

OGD Review Folder (linked): *the following lists items that are pending approval/review/next steps by OGD*

I. For OGD Approval

II. For OGD Review

Potential Agenda Items: *the following lists clearance meetings and associated potential FMG agenda items*

I. CMCS with OS

II. CMCS Issues with OA

Next Meetings: Wednesday, March 8; Wednesday, March 15

- a. California MCO Tax – connect with OGC; aim for March 8 (paper due Tuesday, 02/28 at 4 PM; rewrites monitor Wednesday and Thursday)
- b. School-based Services Guide – Prior to guidance release

CMCS Issues with OA – Follow-Up

III. Joint Clearance

Next Meeting: Thursday, March 9th; **Materials due** Tuesday, March 7th at 4 PM ET

- a. New York Pending SPAs – aim for Mar 9th
- b. Grant PMS Withdrawals/ Closeout Update / Demand Letter – aim for Mar 9th
- c. School-based services billing/MMIS – aim for Mar 9th
- d. New York IMD Chargeback Credit Credits FMR – aim for Mar 9th ?
- e. Audit backlog inventory – aim for Mar 23rd
- f. Missouri Hospital Tax Disallowance (FMG 8/31) – aim for Mar 23rd
- g. Missouri Group Home Services Rates Disallowance (FMG 9/07) – aim for Mar 23rd
- h. Two Michigan OIG Disallowances – aim for Mar 23rd
- i. Indiana Admin Claiming SPMP Disallowance – aim for Mar 9 or 23 ?

- j. School-based services update/CIB (guidance implementation options, TAC, grants) â€" aim for Mar 23rd ?
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On Hold

- o. Connecticut TCF Disallowance (FMG 5/25) â€" On Hold â€" pending Delaware Disallowance outcome
- p. Texas DSRIP Demand Letter â€" aim for ?? (Division running issue through OGC)
- q. Financing strategy/SMDL â€" On Hold â€" check-back in March

Speaking Requests

- a. Ground Ambulance & Patient Billing Advisory Committee (DRP) â€" meeting in March

Joint Clearance â€" Follow-Up

- Delaware Disallowance MAP/ADM TCF (04/14) Re-raise to OCD once we hear back from OGC; Night Note to be cleared before release
- DSH Email to States (02/09) â€" Connect with AMC/Sara to add to NAMD meeting

IV. Cross Cutting

Next Meeting: Thursday, Mar 16th; **Materials due** Tuesday, Mar 14th at 4 PM ET

V. FMG/OCD Touch Base

February Meeting: Thursday, March 9th

FMG/OCD TB " Follow-Up

- Strategy for outstanding disallowances " bring back fleshed-out proposed approach

Sent: 3/28/2023 2:52:45 PM -0400
To: "Badaracco, Andrew (CMS/CMCS)" <Andrew.Badaracco@cms.hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>; "Thompson, Christopher (CMS/CMCS)" <Christopher.Thompson@cms.hhs.gov>
Subject: RE: RE: DUE COB TODAY: NPR FMG SBS BACKGROUND INTERVIEW REQUEST

Wow, okay

Beverly A. Boston

Senior Advisor & Assistant to the Group Director
Financial Management Group
Center for Medicaid and CHIP Services
Centers for Medicare & Medicaid Services
Beverly.Boston@CMS.HHS.Gov
410-786-4186

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>
Sent: Tuesday, March 28, 2023 2:43 PM
To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>
Subject: RE: DUE COB TODAY: NPR FMG SBS BACKGROUND INTERVIEW REQUEST

It depends on when it would happen. I need to double check, but I believe Richard is scheduled to be out of the office starting Monday, for about two weeks (he planned it around the OSORA clearance rounds).

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Tuesday, March 28, 2023 2:25 PM
To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>
Subject: DUE COB TODAY: NPR FMG SBS BACKGROUND INTERVIEW REQUEST

Hello,

As mentioned in the string below, I am circling back with **FMG OGD and DRP leadership** on the attached **request from NPR to conduct a SBS background interview with someone in FMG**. I did have a conversation with the OCD Comms team and this FMG-level interview is to precede the interview with Dan (tentative 4/10) so the NPR reporter gleans as much background as possible on SBS and is more comfortable with her knowledge when interviewing Dan. Perrie suggested Richard Kimball, but indicated that it's totally up to FMG who would be best for

this background interview. We are asked if Thurs or Friday of this week would work, but can also check with the reporter on next week's availability.

The OCD Comms team asks if possible, that we provide a name by COB today.

Thank you

Beverly

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Tuesday, March 28, 2023 1:49 PM
To: Barraza, Leticia (CMS/CMCS) <Leticia.Barraza@cms.hhs.gov>; Lane, Robert (CMS/CMCS) <Robert.Lane@cms.hhs.gov>; Ponte, Grace (CMS/CMCS) <Grace.Ponte@cms.hhs.gov>; Kessler, Christopher (CMS/CMCS) <Christopher.Kessler@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: ACTION DUE WEDS 4/5: NPR Press Inquiry: Follow-up in Prep for OCD Interview

Hello Again **DFO-E/BGS**,

We have now received a formal FOIA from NPR/Emily Harris to request the **total annually amount of SBS expenditures from 2015-2022**. I believe we will need to provide both MAP and Admin correct? DFO-W/BGS can you respond by 4/5 with data? I want to flag these requests coming from NPR are sort of **not your ordinary press inquiries and FOIA requests**. **The NPR reporter is preparing to interview the OCD on 4/10** (based on what I am told by the OCD Comms team). So any information may be raised during the interview.

I have another NPR related request that I will circle back and raise with a smaller group of the SBS team.

Thank you!

Beverly

From: Barraza, Leticia (CMS/CMCS) <Leticia.Barraza@cms.hhs.gov>
Sent: Friday, March 24, 2023 2:22 PM
To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Lane, Robert (CMS/CMCS) <Robert.Lane@cms.hhs.gov>; Ponte, Grace (CMS/CMCS) <Grace.Ponte@cms.hhs.gov>; Kessler, Christopher (CMS/CMCS) <Christopher.Kessler@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>;

Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: RE: DUE COB TODAY: NPR Press Inquiry: Follow-up in Prep for OCD Interview

Hi Beverly,

Rows 95 and 251 of the worksheet named "MAP-National Totals" within the FY2021 FMR NET EXPENDITURES report (see attached) are the only two rows used to calculate expenditures for school based **services**. As noted below with respect to the question related to FY 2016 expenditures, the amount of row 251 (T- School Based Services) is included in the amount of row 95.

The total amount of **administrative costs** for school based services is found on row 32 of the "ADM-National Totals" worksheet.

Does this make sense? Let us know if there are additional questions. Thanks.

Leticia

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Friday, March 24, 2023 12:58 PM
To: Barraza, Leticia (CMS/CMCS) <Leticia.Barraza@cms.hhs.gov>; Lane, Robert (CMS/CMCS) <Robert.Lane@cms.hhs.gov>; Ponte, Grace (CMS/CMCS) <Grace.Ponte@cms.hhs.gov>; Kessler, Christopher (CMS/CMCS) <Christopher.Kessler@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: RE: DUE COB TODAY: NPR Press Inquiry: Follow-up in Prep for OCD Interview

Hi Letitia,

Thanks for the responses. I want to confirm the response to the questions below. Are lines 95 and 251 the only lines that we are using to calculate the Medicaid SBS expenditures?

lines 95 and 251 include the word "school." Are those the only two lines to look at to calculate Medicaid spending in schools?

Beverly

From: Barraza, Leticia (CMS/CMCS) <Leticia.Barraza@cms.hhs.gov>
Sent: Thursday, March 23, 2023 6:59 PM

To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Lane, Robert (CMS/CMCS) <Robert.Lane@cms.hhs.gov>; Ponte, Grace (CMS/CMCS) <Grace.Ponte@cms.hhs.gov>; Kessler, Christopher (CMS/CMCS) <Christopher.Kessler@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: RE: DUE COB TODAY: NPR Press Inquiry: Follow-up in Prep for OCD Interview

Beverly,

See information below in green font. Also, attached is the FY 2016 FMR Net Expenditures report containing the 2016 Medicaid financial management data referenced. Let us know if you have any questions. Thanks.

Leticia

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Thursday, March 23, 2023 11:09 AM
To: Lane, Robert (CMS/CMCS) <Robert.Lane@cms.hhs.gov>; Barraza, Leticia (CMS/CMCS) <Leticia.Barraza@cms.hhs.gov>; Ponte, Grace (CMS/CMCS) <Grace.Ponte@cms.hhs.gov>; Kessler, Christopher (CMS/CMCS) <Christopher.Kessler@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: DUE COB TODAY: NPR Press Inquiry: Follow-up in Prep for OCD Interview

Hello,

Looping DFO-E/BGS on the string for assistance. I am circling back with follow-up questions from NPR as the organization prepares for an interview with Dan that is yet to be scheduled. As the question continues to be raised and is planned for the interview with Dan, can DFO-E/BGS confirm SBS expenditure amounts extrapolated from the Medicaid.data.gov CMS-64 expenditures for the time period outlined below.

The 2021 financial management report notes that lines 95 and 251 include the word "school". Are those the only two lines to look at to calculate Medicaid spending in schools?

Correct [CMCS to confirm]. Yes for services. Administrative costs for the Medicaid program may be found in the ADM worksheets of the FY 2016 FMR Net Expenditures report.

What's the difference between MAP and ADM?

“MAP” stands for “Medical Assistance Payments.” These are payments for specific types of medical services as part of Medicaid coverage. “ADM” stands for administration and reflects administrative costs for a Medicaid program.

We also looked at the 2016 Medicaid financial management data and found this:

- **School-based Administration: \$1,197,098,370.00**
- **School-based Services \$3,296,004,079.00**

There’s another school line item that has a zero balance under the Medical Assistance Program that we don’t quite understand. We would like to understand what these line items cover. Row 222 (T- School Based Services) of the FY 2016 FMR Net Expenditures report includes \$0 Total Computable (\$2,882,999 federal share) for 2105(g) “qualifying states”. This amount is already included in the amount of row 88 (School Based Services).

[CMCS to confirm]. The difference between MAP and ADM is reasonably articulated. Also, the 2016 total computable amounts above are correct The difference between MAP and ADM is reasonably articulated. Also, the 2016 total computable amounts above are It looks like \$4.5 billion of Medicaid dollars went to schools in 2016. Is that right? How would we use the more recent FMR reports to come up with this number for more recent years?

[CMCS to confirm]. Correct. The total computable of the numbers above equals \$4,493,102,449.

Please let me know if this information can be confirmed.

Beverly

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>

Sent: Wednesday, March 22, 2023 3:03 PM

To: Benson, Deborah (CMS/CMCS) <Deborah.Benson@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>

Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>

Subject: RE: Healthy Schools and Free Care Count

At that point the SPA goes back on the clock correct? Please let me know when the state formally submits the SPA. I will certainly continue to follow-up as well ☺ Thanks very much Deborah for the update!

Beverly

From: Benson, Deborah (CMS/CMCS) <Deborah.Benson@cms.hhs.gov>

Sent: Wednesday, March 22, 2023 3:01 PM

To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: RE: Healthy Schools and Free Care Count

Hello,

We are waiting for the state to finalize the coverage and payment pages. The state thinks it may be next week. Once DBC/FMG decides the pages are clean, we will encourage the state to submit the SPA.

Debi

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Wednesday, March 22, 2023 2:58 PM
To: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Benson, Deborah (CMS/CMCS) <Deborah.Benson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>
Subject: RE: Healthy Schools and Free Care Count

Hello,

Todd/Tammy/Deborah/Richard, is there and update on the status of the Illinois Free Care SPA? OCD is asking. Thanks Monica for the status of NM.

Thanks you

Beverly

From: Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>
Sent: Tuesday, March 21, 2023 2:54 PM
To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>
Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS)

<Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>

Subject: RE: Healthy Schools and Free Care Count

Good afternoon Beverly,

New Mexico is currently working on RAI responses. When we offered a TA call to expedite the review, the state mentioned they will get back us. Nothing as of today.

The state lead will send out a follow up.

Best,

Monica Neiman

Social Science Research NIPT analyst for:

States: Alabama, Louisiana, Mississippi, New Mexico, Texas and Utah

Centers for Medicare & Medicaid Services
Center for Medicaid and CHIP Services
Financial Management Group (FMG)
Division of Reimbursement Review (DRR)

Work email: monica.neiman@cms.hhs.gov

Phone: 945-356-1231

Work Schedule: Monday -Thursday

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From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>

Sent: Tuesday, March 21, 2023 1:43 PM

To: Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>

Cc: Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>

Subject: RE: Healthy Schools and Free Care Count

Hello,

Removing OCD folks, please let me know if there are updates to **either IL or NM Free Care SPAs** as the OCD did ping me separately for status. In addition, I will be circling back with additional questions received from the NPR report to prepare for their interview with OCD/Dan Tsai on SBS.

Thank you

Beverly

From: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>

Sent: Tuesday, March 21, 2023 2:19 PM

To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>

Cc: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Janu, Shanna (CMS/CMCS) <Shanna.Janu@cms.hhs.gov>; Dorsey, Jennifer (CMS/CMCS) <jennifer.dorsey@cms.hhs.gov>

Subject: RE: Healthy Schools and Free Care Count

Thank you, Richard! Will make that edit in the press release to the # of states and will reply to Lena.

Beverly â€œ I will flag for Jennifer the DBC needs to review.

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>

Sent: Monday, March 20, 2023 9:39 AM

To: Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>

Cc: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Janu, Shanna (CMS/CMCS) <Shanna.Janu@cms.hhs.gov>; Dorsey, Jennifer (CMS/CMCS) <jennifer.dorsey@cms.hhs.gov>

Subject: RE: Healthy Schools and Free Care Count

Good morning,

Chiming in that we do suggest that DBC also review and clear the rollout materials, but I will leave that up to the OCD.

Thank you

Beverly

From: Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>

Sent: Monday, March 20, 2023 9:34 AM

To: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>
Cc: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Janu, Shanna (CMS/CMCS) <Shanna.Janu@cms.hhs.gov>; Dorsey, Jennifer (CMS/CMCS) <jennifer.dorsey@cms.hhs.gov>
Subject: RE: Healthy Schools and Free Care Count

Hey Perrie- I would say one edit as I would not want to confuse folks with the language, “specific financing flexibilities detailed” which are in the new guidance.

Maybe just: “These 11 states have either partially or fully expanded Medicaid school-based health care services beyond disabled students with IEPs by taking advantage of CMS’s 2014 Medicaid SMDL

The rest of my responses in green highlights below-

From: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>
Sent: Monday, March 20, 2023 9:04 AM
To: Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Janu, Shanna (CMS/CMCS) <Shanna.Janu@cms.hhs.gov>; Dorsey, Jennifer (CMS/CMCS) <jennifer.dorsey@cms.hhs.gov>
Subject: RE: Healthy Schools and Free Care Count

Great. Thanks, Richard. So next steps on my end:

1. Perrie to reply to Lena at Health Schools and note thank you and:
 - a. Clarify that we are not requiring CPEs as a funding source- not to be confused with a complete methodology. Regardless of the funding source (taxes, appropriations, IGTs, or CPEs) the chosen methodology must be comprehensive and adherent to all federal requirements” Richard, is this right? Or how would you define “comprehensive” in this context. Yeah I think this is fine.
 - b. For WY “ CMS confirms that WY was clear they were just starting IEP services only in their recent SPA. Agree
 - c. FYI “ I am not sharing the UT update because Lena does not raise it and UT is on the Health Schools map. Agree
2. For comms messaging, I will run this by Dan, but can suggest something like the following.
Richard - does this edit work? Or would you still delete the second to last sentence:
 - a. New Mexico/Illinois joins 1211 other states that have already expanded school-based health care services through Medicaid “free care” by submitting a SPA to CMS. Other states that have submitted a free care SPA to CMS include Arizona, California,

Colorado, Connecticut, ~~Florida~~, Georgia, Kentucky, Louisiana, Massachusetts, Michigan, Nevada, and North Carolina. *These 11 states have either partially or fully expanded Medicaid school-based health care services beyond students with IEPs and are taking advantage specific financing flexibilities detailed in CMS's 2014 Medicaid SMDL.* CMS notes there may be additional states that have expanded school health care without submitting a SPA, which can depend on how a state chooses to bill Medicaid for these services. CMS celebrates and supports all states in expanding school health care services to more children with Medicaid.

From: Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Sent: Monday, March 20, 2023 8:16 AM
To: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>
Cc: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Janu, Shanna (CMS/CMCS) <Shanna.Janu@cms.hhs.gov>; Dorsey, Jennifer (CMS/CMCS) <jennifer.dorsey@cms.hhs.gov>
Subject: RE: Healthy Schools and Free Care Count

Perrie- thanks it was a good weekend. Glad you were able to get some more information from Healthy schools. Yeah, I agree we need to get more of a handle on the reimbursement for SBS. The biggest barrier is SBS is not a specific 1905(a) service and therefore can be picked up under any of the possible services in 1905(a), and then for kids under EPSDT as well. Of course you should clarify to health schools that we are not requiring CPEs as a funding source- not to be confused with a complete methodology. Regardless of the funding source (taxes, appropriations, IGTs, or CPEs) the chosen methodology must be comprehensive.

WY was clear they were just starting IEP services only in their recent SPA. UT recently finished a change in methodology, and I hear they regret not adding free care- as we suggested.

My thoughts:

2. I would probably say something like one of these: "these states have expanded *Medicaid school-based health care services beyond Individualized Education Plans for disabled students. These states are taking advantage of the 2014 Medicaid SMDL that expanded services beyond those for disabled students with IEPs.*"

I think it is a little disingenuous for us to present all of the states as completely open to free care since some are only open to nursing services (GA, LA) for instance- but nuisance is hard to get across in a short press release. And I think it is Healthy schools's job as advocates to highlight and celebrate all the expansion states. Also, I probably sound like a broken record but I have not seen a FL SPA that opens up a viable reimbursement methodology for SBS- FL has a 1997 SPA and then a reimbursement SPA, but nothing I have seen other than that (the 1997 SPA was reimbursing with cost using rates- which is not allowed under federal cost principles). I did just discover a companion letter was written to them

in 2020 asking them to come into compliance with current CMS SBS policy, but I am not sure where that stands- checking now.

I love the last line!- *CMS celebrates and supports all states in expanding school health care services to more children with Medicaid.*

Thanks for asking! I realize you itâ€™s a tough messaging job.

From: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>
Sent: Sunday, March 19, 2023 8:31 PM
To: Kimball (he,him), Richard (CMS/CMCS) <Richard.Kimball@cms.hhs.gov>
Cc: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>; Mcmillion, Todd (CMS/CMCS) <TODD.MCMILLION@cms.hhs.gov>; Sampson, Tamara (CMS/CMCS) <Tamara.Sampson@cms.hhs.gov>; Neiman, Monica (CMS/CMCS) <Monica.Neiman@cms.hhs.gov>; Janu, Shanna (CMS/CMCS) <Shanna.Janu@cms.hhs.gov>; Dorsey, Jennifer (CMS/CMCS) <jennifer.dorsey@cms.hhs.gov>
Subject: FW: Healthy Schools and Free Care Count

Hi Richard,

Hope you had a nice weekend.

See response below from Lena at Health Schools on how they count free care. I highlighted in yellow what I thought of as the key point about how Healthy Schools accounts for the 5 additional states.

Two questions for you:

1. **I do want to send Lena a response but wanted to check with you on your thoughts and if you have additional questions** (I can also loop you into the thread). One thing I do want to emphasize for Lena is we are not suggesting that CMCS require CPE as a condition for billing outside the IEP. I think it is just hard for us to track/confirm/account for what states are doing if they donâ€™t submit a SPA.
2. **Given all this, for the press release, I wonder if we edit to something like this â€” thoughts?:**
New Mexico/Illinois joins 12 other states that have already expanded school-based health care services through Medicaid â€œfree careâ€ by submitting a SPA to CMS. Other states that have submitted a free care SPA to CMS include Arizona, California, Colorado, Connecticut, Florida, Georgia, Kentucky, Louisiana, Massachusetts, Michigan, Nevada, and North Carolina. CMS notes there may be additional states that have expanded school health care without submitting a SPA, which can depend on how a state chooses to bill Medicaid for these services. CMS celebrates and supports all states in expanding school health care services to more children with Medicaid.

Thanks!

Best,
Perrie

From: Lena O'Rourke <lena@orourkestrategies.com>
Sent: Friday, March 17, 2023 7:40 AM
To: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Mandle, Jessie <Jessie@healthyschoolscampaign.org>
Subject: Re: Healthy Schools and Free Care Count

Heyo! Great question! Here are a few early morning thoughts.

To us, the question to solve is "how can a school bill for services outside of an IEP". We count--and celebrate--any expansion outside of an IEP. Our recommended best practice is to cover all medically necessary services for all Medicaid enrolled kids (e.g. CO, MI) but we will count a partial expansion as well.

For those states who have partial expansion, we acknowledge it and encourage states to go further. Once the camel's nose is under the tent, it's easier to understand and expand more. For example, and a slight correction to your list above, Louisiana initially expanded nursing services only and then went back and got a [second SPA](#) for more services. Georgia is now doing a similar thing and is working towards a more expansive SPA.

We are agnostic about financing options and focus on expansion outside the IEP. The 2014 free care reversal letter doesn't mention methodology, nor does the August 2020 letter section on free care. We interpret this to mean that the issues of expansion and financing aren't linked. There is the expansion outside the IEP (free care) and then, separately, how a state finances school Medicaid. We are in favor of whatever methodology works for a state to expand coverage.

If this is just about defining "free care" states and naming things, I understand the impulse. That said, I would be deeply concerned about any policy that would require CPE as a condition for billing outside the IEP. It would be a huge shift for the states who are using a different methodology now and it would be a big shift in how things are talked about. It would absolutely chill state response and creativity if they think they have to change methodology to expand. HSC would have to think very carefully before it could support that shift.

The 5 states you have listed, plus ND, did not ever codify the "IEPs only" language in their state plan and so, did not need a SPA to reverse it. They were able to expand without a SPA. They do allow billing for services outside the IEP and they have that documented in *guidance*. I have the underlying guidance documents linked in our [free care tracker](#).

We do NOT count WA (which pisses them off) but they don't allow billing for non-IEP services but they encourage MCOs to cover non-IEP services in a school setting. This, to us, is not the same thing as coverage outside an IEP.

We do NOT count WY (which pisses me off) because while their SPA reads like it has expanded outside the IEP, their guidance documents clearly indicate that they will only reimburse for IEP services.

In sum, our list defines the states as those who have expanded outside of the IEP and we count partial expansions. Anything that gets more money into a school to support kids. As a parallel, we celebrate postpartum expansion in MS--but the full Medicaid expansion would definitely be better.

Hope this helps. Jessie and I are happy to talk more if helpful.

Lena

On Thu, Mar 16, 2023 at 11:24â€”PM Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov> wrote:

Hey there!

I also have a separate question for you, and of course loop in whoever you think is best here! The question is, how does Healthy Schools count free care states?

We are doing an updated count to include in future press releases, and are realizing that we are getting a slightly different number than Healthy Schools. We count 12 states with free care and Healthy Schools counts 17, soon to be 18 with SD. Breakdown below. And of course, it gets complicated once you dive in.

The definition for how we get to 12 states is that each of those states have SPAs related to payment for school-based services, more specifically to a CPE payment methodology. And these SPAs are not necessarily always for *all* Medicaid services â€” for example, GA and LA only provide for nursing services. We have also seen incoming SPAs that only expand to a subset of kids beyond those with IEPs (e.g., only to kids with 504). Other states may provide health services to children with Medicaid in schools, but are using a different methodology or vehicle that does not require a SPA (e.g., contracted services, paying normal FFS rates for SBS, etc., but not having a SPA with a cost reconciliation reimbursement methodology).

Let me know your thoughts. Our goal in getting an accurate or consistent count is as a way to encourage more states to pick it up. Similar to what we have done with the postpartum extension, we want to be able to celebrate each state and announce what # state they are to take up the option.

Thank you for humoring this question and for your help in advance! I am learning SO much!

Best,
Perrie

CMS now counts 12 states with free care:

1. Arizona
2. California
3. Colorado
4. Connecticut
5. Kentucky
6. Massachusetts
7. Michigan
8. Nevada
9. North Carolina
10. Georgia (nursing services only)
11. Louisiana (nursing services only)
12. Florida

Healthy Schools counts these 5 additional states, for a total of 17:

1. Arkansas
2. Minnesota
3. Missouri
4. New Hampshire
5. South Carolina

Perrie Briskin

Policy Advisor, Office of the Center Director
Center for Medicaid and CHIP Services (CMCS)

Cell (b)(6)

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Sent: 2/6/2023 10:34:31 AM -0500
To: "Kochanski, Joseph (CMS/CMCS)" <Joseph.Kochanski@cms.hhs.gov>;
"Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>;
"Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>
CC: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>
Subject: RE: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

FMG: Florida Tax FMR Follow-up

We should have live discussion on this asap. It needs to be well before the CIB can go out.

Beverly A. Boston

Senior Advisor & Assistant to the Group Director
Financial Management Group
Center for Medicaid and CHIP Services
Centers for Medicare & Medicaid Services
Beverly.Boston@CMS.HHS.Gov
410-786-4186

From: Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:26 AM
To: Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>
Subject: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

FMG Team – Please see Dan's comments to reviewed items below:

| Date Added | Team / Item Description / Decision Needed | Link/File | Audience / Distribution | Due Date |
|------------|--|--|--------------------------------------|----------|
| 2/3 | FMG / Sections of the quarterly Budget Instructions that relate to the CAA 2023, Section 5131 | document I reviewed and saw AMC's comments; I agree w her comments | Financial management staff in states | Mon, 2/6 |
| 2/3 | FMG: Provider Taxes M1/M2 Test Deep Dive Purpose: As a follow-up to 01/26 Joint Clearance, FMG has prepared slides on a deep dive of the M1/M2 Test with examples. FMG is also providing very detailed underlying supporting calculations for the three examples in the slides if Dan is interested. FMG is seeking | Provider Taxes – M1/M2 Test Deep Dive Thanks. I think we need a follow up small group discussion (FMG staff and OCD) to discuss. We could repurpose the end of a joint clearance. | OCD/Dan | ASAP |

| | | | | |
|-----|---|---|---------|-----|
| | <p>guidance from OCD on whether we should move forward drafting the NPRM. FMG is available to meet to walk through the slide deck and/or the detailed calculations.</p> | <p>* very detailed calculations that we are sharing only if you want to review them</p> <ul style="list-style-type: none"> • Hawaii • Nevada • California | | |
| 2/3 | <p>FMG: Florida Tax FMR Follow-up Purpose: As a follow-up to 01/18 Joint Clearance, FMG has revised the draft FMR engagement letter (incorporating OCD feedback). We are also including the documentation request and timeline of the FMR and possible compliance enforcement.</p> | <ul style="list-style-type: none"> • Engagement Letter • Document and Information Request <p>Inserted some comments, document attached since it wasn't alive sharepoint link</p> <ul style="list-style-type: none"> • Timeline <p>There's no Timeline document / no link. Can you provide that.</p> <p>We should have live discussion on this asap. It needs to be well before the CIB can go out. We also need to brief up on this one. That includes leading up to DPC on Friday. We should discuss today w Rachel.</p> | OCD/Dan | N/A |

Joseph Kochanski
Special Assistant, Office of the Center Director
Center for Medicaid and CHIP Services (CMCS)
Cell: (b)(6)

Sent: 2/6/2023 11:06:22 AM -0500
To: "Kochanski, Joseph (CMS/CMCS)" <Joseph.Kochanski@cms.hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>; "Tsai, Daniel (CMS/CMCS)" <Daniel.Tsai@cms.hhs.gov>; "Costello, Anne Marie (CMS/CMCS)" <AnneMarie.Costello@cms.hhs.gov>; "Vitolo, Sara (CMS/FCHCO)" <Sara.Vitolo@cms.hhs.gov>
CC: "adams, lia (CMS/CMCS)" <Lia.Adams@cms.hhs.gov>
Subject: RE: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

Beverly A. Boston

Senior Advisor & Assistant to the Group Director
Financial Management Group
Center for Medicaid and CHIP Services
Centers for Medicare & Medicaid Services
Beverly.Boston@CMS.HHS.Gov
410-786-4186

From: Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:53 AM
To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>
Subject: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

Please send. Thanks!

Best,

Joe

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:49 AM
To: Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: adams, lia (CMS/CMCS) <Lia.Adams@cms.hhs.gov>
Subject: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

Joe,

Today from 1:35-2pm works on our end. Do you want FMG to send the meeting invite or will you?

Beverly

From: Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:43 AM
To: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Subject: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

Hi Beverly – Add some availability for Dan below. He will be traveling tomorrow. Thanks!

Today 1:35-2pm and 3:05-3:30pm
Wednesday – 11:35-12pm

Best,

Joe

From: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:32 AM
To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Subject: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

Thanks Joe. Can you provide Dan's availability for meeting asap this week as the Taxes CIB is scheduled for release on Friday 2/10.

FMG: Florida Tax FMR Follow-up

We should have live discussion on this asap. It needs to be well before the CIB can go out.

Thank you

Beverly

From: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:30 AM
To: Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>
Subject: RE: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

+ Lia

From: Kochanski, Joseph (CMS/CMCS) <Joseph.Kochanski@cms.hhs.gov>
Sent: Monday, February 6, 2023 10:26 AM
To: Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS)

<Jeremy.Silanskis@cms.hhs.gov>

Cc: Boston, Beverly (CMS/CMCS) <Beverly.Boston@cms.hhs.gov>; Howe, Rory (CMS/CMCS)

<Rory.Howe@cms.hhs.gov>

Subject: Dan's Briefing Book: DEH Parent Caregivers of Personal Services

FMG Team – Please see Dan's comments to reviewed items below:

| Date Added | Team / Item Description / Decision Needed | Link/File | Audience / Distribution | Due Date |
|------------|---|---|--------------------------------------|----------|
| 2/3 | FMG / Sections of the quarterly Budget Instructions that relate to the CAA 2023, Section 5131 | document I reviewed and saw AMC's comments; I agree w her comments | Financial management staff in states | Mon, 2/6 |
| 2/3 | FMG: Provider Taxes M1/M2 Test Deep Dive Purpose: As a follow-up to 01/26 Joint Clearance, FMG has prepared slides on a deep dive of the M1/M2 Test with examples. FMG is also providing very detailed underlying supporting calculations for the three examples in the slides if Dan is interested. FMG is seeking guidance from OCD on whether we should move forward drafting the NPRM. FMG is available to meet to walk through the slide deck and/or the detailed calculations. | Provider Taxes – M1/M2 Test Deep Dive Thanks. I think we need a follow up small group discussion (FMG staff and OCD) to discuss. We could repurpose the end of a joint clearance. * very detailed calculations that we are sharing only if you want to review them <ul style="list-style-type: none">HawaiiNevadaCalifornia | OCD/Dan | ASAP |
| 2/3 | FMG: Florida Tax FMR Follow-up Purpose: As a follow-up to 01/18 Joint Clearance, FMG has revised the draft FMR engagement letter (incorporating OCD feedback). We are also including the documentation request and timeline of the FMR and possible compliance enforcement. | <ul style="list-style-type: none">Engagement LetterDocument and Information Request Inserted some comments, document attached since it wasn't alive sharepoint link <ul style="list-style-type: none">Timeline There's no Timeline document / no link. Can you provide that. We should have live discussion on this asap. It needs to be well before the CIB can go out. We also need to brief up on this one. That includes leading up to DPC on | OCD/Dan | N/A |

| | | | | |
|--|--|--|--|--|
| | | Friday. We should idsuccs today w Rachel. | | |
|--|--|--|--|--|

Joseph Kochanski
Special Assistant, Office of the Center Director
Center for Medicaid and CHIP Services (CMCS)
Cell: (b)(6)

Appointment Title: FMG / SDG engagement -- need assistance on CA protocols
Attendees:
Location:
Start Time: 11/8/2022 4:30:00 PM -0500
End Time: 11/8/2022 5:00:00 PM -0500
Reminder Time: 11/8/2022 4:15:00 PM -0500
Reminder Set: false
Duration: 30 minutes
Is Recurring: false
Reccurance Type: Not
Reccurance Pattern:
Response Status: 1
Busy Status: Busy

From: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>
Sent: Monday, November 7, 2022 3:21 PM
To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>
Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Subject: RE: FMG / SDG engagement -- need assistance on CA protocols

Hi Rory.

I have briefly reviewed these protocols and followed up with DECD staff. My understanding is that they were all reviewed by FMG and then approved for the previous period of performance. For this current period of performance **there are very few edits** from the state provided in redline, and the most extensive edits are the addition of an equity component to the Attachment L valuation scheme. I understand from staff that Mark Wang and Brian Burdullis conducted the previous review that led to our approval, and that a different state financial lead is now responsible for CA.

That said, the relevant STCs are as follows: STC 69-83 focus on the Global Payment Program, and to understand the payment structures, STCs 74, 76-78 and 83 outline the specific protocols we are requesting for review. While there are only a few edits from the state, we think FMG review for accuracy and completeness relative to the STCs is needed in so much as they outline accounting processes and procedures for reporting GPP, and a methodology that encompasses payment structure. More specifically,

Attachment K- need review of the reporting dates, are they appropriate for the state to submit

Attachment F- are these accounting processes and procedures appropriate and complete

Attachment L- any feedback on the state's updated the point values

Attachment Q- review the GPP percentages

CA is bugging us to get these done. What are your thoughts about an expediting this review and how would you staff that to help move this along?

Thank you for your assistance.

Terese

From: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>
Sent: Friday, October 28, 2022 2:35 PM
To: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>
Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Subject: RE: FMG / SDG engagement -- need assistance on CA protocols

Hi Terese,

I apologize for the delay in responding. It has been a long week. FMG has three key areas on which we provide SME support for SDG: 1) FFS payment policy 2) non-federal share financing and 3) claiming FFP on the CMS-64. We would typically assign SMEs from one (or more) of our divisions based on the SDG's requested area(s) of support. At first glance, the CA request might cover all three key areas above, but it is a little unclear. Any additional information about the specific issue/sections of the protocols that you would like FMG assistance on would be helpful.

As we discussed previously, I recognize that FMG and SDG could benefit from defining a clear, efficient way of obtaining FMG SME support. If it make senses, we could use the California request as an example during our discussion planned for Wednesday. We really value SDG's partnership and look forward to talking more next Wednesday.

Thanks for your patience,

Rory

From: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>
Sent: Monday, October 24, 2022 10:36 AM
To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>
Subject: RE: FMG / SDG engagement -- need assistance on CA protocols

Rory, what s the best way for our staff to engage w FMG on the CA protocols? Please advise. Thank you. Terese

From: Decaro, Teresa (CMS/CMCS)

Sent: Thursday, October 6, 2022 3:15 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>

Subject: RE: FMG / SDG engagement -- need assistance on CA protocols

Rory, in addition to the feedback I provided in the previous email below about recent KS UC pool engagement betw SDG and FMG, please note that our team has been seeking assistance from FMG on CA protocols. I provide below information about these CA protocols and an email string between SDG and FMG staff trying to establish TA. We are still in pursuit of that TA. Can you please help us determine who to work with and how best to move forward in the TA we need?

Also, perhaps you already know this, but DECD met with the CA financial lead and FMG team in May to get a better understanding of the different roles in FMG. Following FMG restructuring, SDG sometimes finds it confusing to determine who should be reviewing financial policy (FPO), financial reporting (FMR), protocols, etc. That is to say, sometimes we are not sure who to contact and how to get started with FMG engagement.

Please let me know if you have questions or would like to discuss. Thank you for your ongoing collaboration. Terese

California protocols -- SDG needs assistance from FMG to review the CalAIM Global Payment Program (GPP) Funding and Mechanics Protocol and CalAIM GPP Fund Valuation Methodology Protocol. Both were submitted in March 2022.

To understand the context of the protocols, the GPP protocols are a combination of: (1) a portion of the state's annual Disproportionate Share Hospital (DSH) allotment and (2) its Uncompensated Care (UC) Pool funding for value-based payments to participating California Public Health Care Systems (PCHS) providing care for California's uninsured. These payments support efforts to provide services for the uninsured, promote the delivery of higher-value care, and incentivize more appropriate and cost-effective care. The state updated the Funding and Mechanics Protocol and the Valuation Methodology Protocol for CMS approval by adding new GPP services that may facilitate addressing health disparities for the uninsured population, as well as align GPP service offerings with those available to Medicaid beneficiaries.

The state will need these protocols reviewed and approved for the new funding structure in order to make the value-based payments to participating California Public Health Care Systems (PCHS) providing care for California's uninsured.

Email string seeking TA on California protocols --

From: Burdullis, Brian M. (CMS/CMCS) <Brian.Burdullis@cms.hhs.gov>

Sent: Tuesday, May 24, 2022 1:15 PM

To: Nichols, Rachel (CMS/CMCS) <Rachel.Nichols@cms.hhs.gov>; Nelson, Frederick (CMS/CMCS) <Frederick.Nelson@cms.hhs.gov>

Cc: Ross, Heather V. (CMS/CMCS) <Heather.Ross@cms.hhs.gov>; Wang, Yixi (CMS/CMCS)

[<Yixi.Wang@cms.hhs.gov>](mailto:Yixi.Wang@cms.hhs.gov)

Subject: RE: CA's Submission of CalAIM STCs (Attachments F, K, L, M and Q)

Hi Rachel,

I haven't received any additional information on this. I tried sending another inquiry back this morning to see if our leadership had any further discussion and I haven't received a response yet. I'll keep trying and let you know if I hear anything but we might need SDG and FMG leadership to connect and figure it out.

Thanks,

Brian

From: Nichols, Rachel (CMS/CMCS)

Sent: Monday, May 23, 2022 7:44 AM

To: Nelson, Frederick (CMS/CMCS) [<Frederick.Nelson@cms.hhs.gov>](mailto:Frederick.Nelson@cms.hhs.gov); Burdullis, Brian M. (CMS/CMCS) [<Brian.Burdullis@cms.hhs.gov>](mailto:Brian.Burdullis@cms.hhs.gov)

Cc: Ross, Heather V. (CMS/CMCS) [<Heather.Ross@cms.hhs.gov>](mailto:Heather.Ross@cms.hhs.gov); Wang, Yixi (CMS/CMCS) [<Yixi.Wang@cms.hhs.gov>](mailto:Yixi.Wang@cms.hhs.gov)

Subject: RE: CA's Submission of CalAIM STCs (Attachments F, K, L, M and Q)

Good morning Frederick and Brian,

We have had a few internal discussions on who in FMG would be able to help in reviewing the GPP Funding and Mechanics Protocol and the Valuation Methodology Protocol for the new demonstration period. I just wanted to circle back to see if either of you have any information on who SDG should be working with to review these documents.

Thanks,

Rachel

From: Nelson, Frederick (CMS/CMCS)

Sent: Monday, April 11, 2022 4:42 PM

To: Nichols, Rachel (CMS/CMCS) [<Rachel.Nichols@cms.hhs.gov>](mailto:Rachel.Nichols@cms.hhs.gov); Wang, Yixi (CMS/CMCS) [<Yixi.Wang@cms.hhs.gov>](mailto:Yixi.Wang@cms.hhs.gov)

Cc: Burdullis, Brian M. (CMS/CMCS) [<Brian.Burdullis@cms.hhs.gov>](mailto:Brian.Burdullis@cms.hhs.gov); Wong, Mark I. (CMS/CMCS) [<Mark.Wong@cms.hhs.gov>](mailto:Mark.Wong@cms.hhs.gov); Moulton, Shane (CMS/CMCS) [<Shane.Moulton@cms.hhs.gov>](mailto:Shane.Moulton@cms.hhs.gov); Kazi, Paula (CMS/CMCS) [<Paula.Kazi@cms.hhs.gov>](mailto:Paula.Kazi@cms.hhs.gov); Ross, Heather V. (CMS/CMCS) [<Heather.Ross@cms.hhs.gov>](mailto:Heather.Ross@cms.hhs.gov)

Subject: RE: CA's Submission of CalAIM STCs (Attachments F, K, L, M and Q)

Thanks Rachel,

We will look over and discuss, then get back to you ASAP.

Sincerely,
Frederick Nelson
Financial Management Specialist
Center for Medicaid and CHIP Services
FMG, DFO-West, Branch C
Chicago Regional Office
VOIP: (312) 353-0108

From: Nichols, Rachel (CMS/CMCS)
Sent: Monday, April 11, 2022 9:56 AM
To: Nelson, Frederick (CMS/CMCS) <Frederick.Nelson@cms.hhs.gov>; Wang, Yixi (CMS/CMCS) <Yixi.Wang@cms.hhs.gov>
Cc: Burdullis, Brian M. (CMS/CMCS) <Brian.Burdullis@cms.hhs.gov>; Wong, Mark I. (CMS/CMCS) <Mark.Wong@cms.hhs.gov>; Moulton, Shane (CMS/CMCS) <Shane.Moulton@cms.hhs.gov>; Kazi, Paula (CMS/CMCS) <Paula.Kazi@cms.hhs.gov>; Ross, Heather V. (CMS/CMCS) <Heather.Ross@cms.hhs.gov>
Subject: FW: CA's Submission of CalAIM STCs (Attachments F, K, L, M and Q)

Hi Frederick and Yixi,

California submitted a few attachments that were required for the GPP program that was extended under the CalAIM demonstration (see attached). I believe that you all would be the ones to review the Funding and Mechanics Protocol and the Valuation Methodology Protocol. Our colleagues in DDME will be reviewing the Health Equity Monitoring Metrics Protocol.

Please let me know if this is not correct and we can figure out who should be reviewing.

Thanks so much,

Rachel

From: Font, Amanda@DHCS <Amanda.Font@dhcs.ca.gov>
Sent: Tuesday, March 29, 2022 7:13 PM
To: Nichols, Rachel (CMS/CMCS) <Rachel.Nichols@cms.hhs.gov>; Ross, Heather V. (CMS/CMCS) <Heather.Ross@cms.hhs.gov>
Cc: Young, Cheryl (CMS/CMCS) <Cheryl.Young@cms.hhs.gov>; Cooper, Jacey@DHCS <Jacey.Cooper@dhcs.ca.gov>; Toyama, Aaron@DHCS <Aaron.Toyama@dhcs.ca.gov>; Harrington, Lindy@DHCS <Lindy.Harrington@dhcs.ca.gov>; Lam, Jacob@DHCS <Jacob.Lam@dhcs.ca.gov>; Ang-Olson, Saralyn@DHCS <Saralyn.Ang-Olson@dhcs.ca.gov>; Brooks, Katie@DHCS <Katie.Brooks@dhcs.ca.gov>
Subject: CA's Submission of CalAIM STCs (Attachments F, K, L, M and Q)

Rachel and Heather:

On January 27, 2022, DHCS transmitted California's official acceptance of the "California Advancing and Innovating Medi-Cal" (CalAIM) Special Terms and Conditions (STCs), waiver authority, and expenditure authority, subject to forthcoming technical corrections, as discussed with CMS.

Enclosed for official submission to CMS are STC Attachments F, K, L, M, and Q. The attachments were also submitted on PMDA today; see below for categorization of Attachment by Deliverable Item.

CalAIM Global Payment Program (GPP) Funding and Mechanics Protocol – March 2022

- Attachment F
- Attachment K

CalAIM GPP Fund Valuation Methodology Protocol – March 2022

- Attachment L
- Attachment Q

CalAIM GPP Health Equity Monitoring Metrics Protocol – March 2022

- Attachment M

-

PMDA Deliverable Screen snip:

State Deliverable Dashboard

| Deliverable Name | Deliverable Type | Due Date | Submitted Date | Deliverable Status/Date |
|---|------------------|------------|----------------|-------------------------|
| CalAIM Global Payment Program (GPP) Funding & Mechanics Protocol - March 2022 | Single/Other | 03/29/2022 | 03/29/2022 | Submitted - 03/29/2022 |
| CalAIM - GPP Valuation Methodology Protocol - March 2022 | Single/Other | 03/29/2022 | 03/29/2022 | Submitted - 03/29/2022 |
| CalAIM - GPP Health Equity Monitoring Metrics Protocol - March 2022 | Single/Other | 03/29/2022 | 03/29/2022 | Submitted - 03/29/2022 |

Please reach out to us if you have any questions or concerns regarding these submissions. Thank you!

Amanda Font

Department of Health Care Services

Office of Compliance

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From: Decaro, Teresa (CMS/CMCS)

Sent: Thursday, October 6, 2022 1:54 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>

Subject: RE: FMG / SDG engagement

Rory, here is information on SDG contact w FMG to get SME input on the KS UC pool paper we discussed today in SDG Clearance. I hope this is helpful. As we have discussed, we look forward to clarifying and smoothing out our 1115 engagement w FMG. Happy to further discuss this particular circumstance w you if that would be helpful. Regards, Terese

On September 7 DSRD had a brainstorming call with FMG. Below are the attendees from the call, although not all of the listed attendees attended. DSRD remembers Andrew Badaracco and Davida Kimble were the most helpful on the call. On the call SDG and FMG discussed additional options to support the state and rural hospitals. FMG suggested having the state use state only funds to cover the overpayments from DY 9 and seeking an amendment for expenditure authority to make the state whole. These options were later deleted from the paper after discussions at Prep. SDG and FMG also discussed options of recoupment through DY 11 and interim payments. FMG raised questions about claiming during the meeting. DSRD did not discuss with FMG the possibility of not recouping in DY 9 at all, because our focus at that time was to provide options that were available to the state for recoupment.

On the claiming adjustment question, DSRD reached out to Kevin Slaven, the Financial Lead for Kansas, on Friday 9/30 and then again on Monday 10/3.

Participants: Dorothy Ferguson, Celestine Curry, Stuart Goldstein, Davida Kimble, Jennifer Clark, Andrew Badaracco, Christopher Thompson, Tia Lyles, Jocelyn Velez, Avery Stahlecker, Richard Kimball, Kevin Slaven, Andrew Williams, Davida Kimble, Richard Cuno

DSRD said that they did not work very closely with FMG on this, as they were under the impression that the considerations were largely an SDG issue, but understand now after Rory's comments in SDG Clearance that they we should have communicated more with FMG.

From: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>

Sent: Wednesday, October 5, 2022 1:52 PM

To: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>

Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Subject: RE: FMG / SDG engagement

Hi Terese,

Thanks for flagging. Yes, I think it would be helpful to have more information on the request. I know our limited staff who lead work on this issue are beyond capacity, as many of us are now. We are happy to continue working with you, per our last conversation, to make the process of obtaining FMG input smoother for all of us.

I think your possible topics for in-person collaboration later this month sounds great. We will provide some additional thoughts once I've had a chance to discuss with Amber and Jeremy.

Thanks, as always, for your partnership as well.

Rory

From: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>
Sent: Wednesday, October 5, 2022 10:21 AM
To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Cash, Judith (CMS/CMCS) <Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>
Subject: FMG / SDG engagement

Rory, Amber, Jeremy,

I want you all to know that our staff said they reached out several times to get FMG input on our KC UC pool question, and FMG folks were not getting back to them. Is it helpful to you to get more information about this outreach?

Relatedly, based on our SDG / FMG leadership mtg, we have a draft questionnaire that we will be discussing tomorrow as an SDG management team tomorrow to collect feedback on SDG requests for FMG support. We will share that w you before we share it w staff.

I understand that FMG and SDG staff will be in person on Oct 26th and 27th. We would like the FMG and SDG division directors to meet to get to know one another. Maybe this is an opportunity to also discuss SDG / FMG engagement when SDG is looking for SME input? Maybe we should further explore the agenda if you all are ok w this?

Thank you for your ongoing collaboration and please let me know your thoughts about any of this (or other issues we should be exploring).

Terese

From: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>
Sent: Wednesday, October 5, 2022 10:01 AM
To: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Garner, Angela (CMS/CMCS) <Angela.Garner@cms.hhs.gov>; Marunycz, Lisa (CMS/CMCS) <Lisa.Marunycz@cms.hhs.gov>; Trieger, Michael (CMS/CMCS) <Michael.Trieger1@cms.hhs.gov>; Higgins, Shelby (CMS/CMCS) <Shelby.Higgins@cms.hhs.gov>; Cash, Judith (CMS/CMCS)

<Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>; Arnold, Charlie (CMS/CMCS) <Charlie.Arnold@cms.hhs.gov>; Clark, Jennifer (CMS/CMCS) <Jennifer.Clark@cms.hhs.gov>; Curry, Celestine (CMS/CMCS) <Celestine.Curry@cms.hhs.gov>

Subject: RE: FMG : KS UC pool -- DY9 payments to rural hospitals not based on approved protocol

+ Charlie, Jen, and Celestine

Hi Terese,

I reviewed the paper and am looping in some FMG colleagues for assistance. We will likely need some time to review closely and may also need more information to provide feedback on the question below. It is unlikely we will be able to provide complete feedback before your clearance meeting today. Would it be possible to follow up later in the week?

Thanks,
Rory

From: Decaro, Teresa (CMS/CMCS) <teresa.decaro@cms.hhs.gov>

Sent: Tuesday, October 4, 2022 12:06 PM

To: Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Garner, Angela (CMS/CMCS) <Angela.Garner@cms.hhs.gov>; Marunycz, Lisa (CMS/CMCS) <Lisa.Marunycz@cms.hhs.gov>; Trieger, Michael (CMS/CMCS) <Michael.Trieger1@cms.hhs.gov>;

Higgins, Shelby (CMS/CMCS) <Shelby.Higgins@cms.hhs.gov>; Cash, Judith (CMS/CMCS)

<Judith.Cash@cms.hhs.gov>; Rashid, Mehreen (CMS/CMCS) <mehreen.rashid@cms.hhs.gov>

Subject: FMG : KS UC pool -- DY9 payments to rural hospitals not based on approved protocol

Hi Rory, Amber and Jeremy. We plan to bring this paper to SDG clearance tomorrow. We think some questions might come up that FMG would need to weigh in on, so wanted to give you a heads up. Also, please see question below in yellow highlight. We'd like to know the answer to this question before going into the SDG clearance mtg.

I understand that DSRD met w FMG to talk through options for responding to the state not having followed the approved protocol for distributing funds to hospitals, and now it looks like rural hospitals were significantly overpaid in DY9, and the OIG is paying attention to this issue. So the question this paper raises is whether and how to direct the state on correcting payments already made in DY 9. We thought only three of the five options FMG and DSRD discussed were options we'd likely take, so we only presented those three.

Is it possible to give us an answer on the question raised in the comments on this paper...does the two year claiming adjustment limitation apply in this situation where we think the state has improperly paid out the UC funds to hospital in DY9, not yet made paid out any DY10 funds, and likely would need the better part of two years to work w rural hospitals to adjust their S-10 data so that any correction would be based on reliable data?

Thank you for your attention on this matter.
Terese

<https://share.cms.gov/center/CMCS/SDG/ layouts/15/WopiFrame.aspx?sourcedoc={3049DB95-B35E-41A2-BDC8-78DD9396ACB2}&file=Kansas%20Uncompensated%20Care%20Pool%20Issue.docx&action=default>

Appointment Title: Discuss UPL and DFO Quarterly/FMR Reviews

Organizer: Wiley, Evelyn (CMS/CMCS)

Attendees: Wiley, Evelyn (CMS/CMCS); Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS); Ferguson, Dorothy (CMS/CMCS); Curry, Celestine (CMS/CMCS); Parris, Robert (CMS/CMCS); Barraza, Leticia (CMS/CMCS); Thompson, Christopher (CMS/CMCS); Badaracco, Andrew (CMS/CMCS); Gavens, Jay (CMS/CMCS); Mcmillion, Todd (CMS/CMCS); Sampson, Tamara (CMS/CMCS)

Location: [https://cms.zoomgov.com/jt/\(b\)\(6\)?pwd=\(b\)\(6\)9](https://cms.zoomgov.com/jt/(b)(6)?pwd=(b)(6)9)

Start Time: 9/6/2023 1:00:00 PM -0400

End Time: 9/6/2023 1:30:00 PM -0400

Reminder Time: N/A

Reminder Set: false

Duration: 30 minutes

Is Recurring: false

Reccurance Type: Not

Reccurance Pattern:

Response Status: 5

Busy Status: Tentative

We need a call set up with OGD (Rory, Amber, Jeremy), DFO, DRP, DRR leadership and Jay Gavens, to discuss the UPL reviews and requirements for DFO quarterly/FMR reviews.

Dorothy

Evelyn Wiley is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

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Appointment Title: FAR #1, 2019 Utah Admin. Fees FMR

Organizer: Wiley, Evelyn (CMS/CMCS)

Attendees:

Location: [https://cms.zoomgov.com/join/\(b\)\(6\)?pwd=\(b\)\(6\)9](https://cms.zoomgov.com/join/(b)(6)?pwd=(b)(6)9)

Start Time: 11/23/2022 12:30:00 PM -0500

End Time: 11/23/2022 1:00:00 PM -0500

Reminder Time: N/A

Reminder Set: false

Duration: 30 minutes

Is Recurring: false

Recurring Type: Not

Recurring Pattern:

Response Status: 5

Busy Status: Tentative

Evelyn Wiley is inviting you to a scheduled ZoomGov meeting.

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Appointment Title: MBES vs. FMR data
Organizer: Maccarroll, Amber (CMS/CMCS)
Attendees:
Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]pwd=[(b)(6)])
Start Time: 3/31/2023 1:30:00 PM -0400
End Time: 3/31/2023 2:00:00 PM -0400
Reminder Time: N/A
Reminder Set: false
Duration: 30 minutes
Is Recurring: false
Reccurance Type: Not
Reccurance Pattern:
Response Status: 5
Busy Status: Tentative

Amber MacCarroll is inviting you to a scheduled ZoomGov meeting.

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Meeting ID: (b)(6)

Find your local number: <https://cms.zoomgov.com/join/916121232509>

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Password: (b)(6)

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Background:

Hi Amber and others,

Thank you for connecting on Medicaid data! Now that we know who to reach out to, we thought we'd send some more specific data to guide our questions and conversation.

We are currently attempting to estimate the fiscal relief states will have received through the FFCRA 6.2PP FMAP bump through March 2023 and potentially, through the end of December 2023. This is an update of a [piece](#) we put out last year, using some updated methodology and data sources. At a high level, our fiscal relief calculations are based on total Medicaid spending data (excluding group VIII expenditures), and we are deciding whether to base our estimates on the quarterly MBES group VIII expenditure reports or the annual FMR reports. We are also comparing our model estimates to the fiscal relief under FFCRA section 6008 reported through MBES [here](#).

The attached excel file includes two tabs: the first one shows the differences between the MBES and FMR total spending amounts for FY 2021 and the second shows the estimated fiscal relief for FY 2020 and FY 2021 from the MBES. Some specific questions are listed below.

1. Do you know why the FMR and quarterly MBES estimates for total spending are so different? The attached file shows those differences, which are particularly notable in CA and WA in FY 2021.
 - a. Our understanding is that the data sources differ because the FMR reports include collections and overpayment while the MBES does not and because the MBES quarterly estimates include prior period adjustment claims. Do you know whether the differences are primarily attributable to one of those factors or the other?
 - b. When comparing total Medicaid spending growth from FY20 to FY21 for all 50 states and DC, the MBES total grows 5% while the FMR report total grows by 10%. When thinking about Medicaid growth rates, what do you think is the most likely scenario?
 - c. Given all of these factors, would you recommend using one of those sources over the other for our analysis of fiscal relief during the continuous enrollment period?
2. We are comparing our estimates of fiscal relief to those posted [here](#) and have noticed some discrepancies that we are having trouble explaining.
 - a. Are there timing issues or other situations such that the timing of when the payments show up in the MBES may be different from when the payments were made or the states incurred the costs?
 - b. For 3 states, fiscal relief was lower in 2021 than in 2020, which was surprising to us as the FMAP bump only applied to three quarters of 2020. Do you have any thoughts as to why that might be the case?
 - c. We noticed some big differences in the total computable all medical assistance expenditures depending on whether we pull spending totals from the [group VIII expenditure reports](#) or the [FFCRA increased FMAP expenditure report](#). Do you know why the total spending would be different across those two reports?
 - i. For example, CA's total spending for the quarter ending 3/2022 was reported as \$31,926,997,852 in the increased FMAP report, but \$21,939,995,197 in the group VIII expenditure report.

Let us know if it would be easier to set up a call to discuss.

Thank you,

Liz, Robin, & Alice

Appointment Title: FL SDP FY 22 FMR (draft) discussion
Organizer: Gavens, Jay (CMS/CMCS)
Attendees:
Location: [https://cms.zoomgov.com/j/\(\(b\)\(6\)\)](https://cms.zoomgov.com/j/((b)(6))) pwd= ((b)(6))
9
Start Time: 8/9/2023 1:00:00 PM -0400
End Time: 8/9/2023 1:30:00 PM -0400
Reminder Time: N/A
Reminder Set: false
Duration: 30 minutes
Is Recurring: false
Reccurrence Type: Not
Reccurrence Pattern:
Response Status: 5
Busy Status: Tentative

To discuss / go over the **FL SDP FY 22 draft FMR** in preparation for the Mega Clearance call tomorrow.

Jay Gavens is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

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Appointment Title: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930
Organizer: Thompson, Christopher (CMS/CMCS)
Attendees:
Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]?pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]?pwd=[(b)(6)])
Start Time: 9/12/2023 2:30:00 PM -0400
End Time: 9/12/2023 3:00:00 PM -0400
Reminder Time: N/A
Reminder Set: false
Duration: 30 minutes
Is Recurring: false
Reccurance Type: Not
Reccurance Pattern:
Response Status: 5
Busy Status: Tentative

CHRISTOPHER THOMPSON is inviting you to a scheduled ZoomGov meeting.

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Meeting ID: 161 616 2278

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From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>

Sent: Tuesday, September 12, 2023 10:24 AM

To: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Subject: Re: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Importance: High

Good morning, Laura

CMS0003450cv3525

I elevated this to our group leadership and here are our concerns.

1. Our preference is for the State to remove the "pre-arranged" language as appropriate. In response to Q16 in the Round 1 comments indicated the following:

Please affirm that no payment under this section is dependent on any agreement or arrangement for providers or related entities to donate money or services to a governmental entity.

STATE RESPONSE: The state affirms that that no payment under this section is dependent on any agreement or arrangement for providers or related entities to donate money or services to a governmental entity.

It's not clear how this affirmation aligns with the state's response aligns with the state's response to question #5 in the Rd. 2 questions in which we discuss the "pre-arranged" language. It may be necessary for the state to assess and affirm that the language in the LOA and the affirmation they have made to CMS in Q5 does not permit the providers to engage in any agreements, written or otherwise, that would require any non-governmental providers or related entities to donate money or services to a governmental entity in exchange for the payment under the proposed SDP.

2. The State's response regarding Lee Health is not complete. The State indicated that Lee Health has neither State appropriated funds or access to tax revenue, so we are asking for the source of the funds for Lee Health. In the past, we have certainly accepted that state's can designate providers as units of State or local government, but their affirmation that Lee Health is public and has access to funding allowed under 433.51 does not align with the information the State provided in their excel file. Further, the State affirmed that much of the information we copied/pasted directly from their own excel file provided with the pre-print is not accurate, but has yet to be corrected.

Generally speaking, if we received these types of responses as part of a SPA review, FMG would ask additional questions, seek counsel from OGC, and possibly pursue disapproval if adequate information is not provided. I know this feels like a small thing, but we asked similar questions in the other FL SDP regarding the State Teaching Hospitals and would like to avoid accepting incomplete answers and relying upon conditional approval.

At this point, I defer to you all as to how you'd like to proceed and your question about whether or not we move forward with conditional approval.

Happy to meet to discuss if it's helpful,

Andrew

From: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>
Date: Monday, September 11, 2023 at 9:14 AM
To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: RE: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Andrew,

Based on your feedback, we have a clear question to send them (correct the preprint to accurately reflect the IGTs) that we can send. I think what we'd need clarification from you all on is really item 3 "if your OGD is comfortable with the approval letter language covering this or if there is a request for the state to remove the pre-arranged language first. Can you let us know the answer to that by COB tomorrow?

Thanks,
Laura

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>
Sent: Monday, September 11, 2023 9:10 AM
To: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: Re: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Laura

Here's what I see:

1. The state provided inaccurate information in their IGT write up, which likely needs to be corrected. Does DMCP expect the state to correct the submitted records for their IGTs?
2. Lee Health The state did not answer the question we asked about Lee Health and the source of funds. They just said Lee Health is a public provider and eligible to provide non-federal share under 433.51. It's not abundantly clear what those sources are, but perhaps the quoted approval letter language would suffice there.
3. Pre-Arranged language This was the one that seems oddest to me. The agreement includes language that would permit providers to enter into agreements after approval of the SDPs that might permit the providers to pool their IGT funds or recycle funding. Again, this might fall into the quoted language you cited, but I want to get concurrence from our OGD.

Thanks,

Andrew

From: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>

Date: Monday, September 11, 2023 at 8:54 AM

To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: RE: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Andrew,

Given the in person meeting on 9/13 this week, we'd ask for any additional feedback by **COB 9/12** if possible.

We can plan to ask the state to correct the preprint for the yellow highlighted items as we agree that the preprint should reflect accurate info.

What would be most helpful for the item in green and the "pre-arranged" language is:

1. if there are specific questions/feedback/requests that the state change something in the preprint that we need to send back to FL **and/or**
2. if there is language FMG would recommend be included in the approval letter instead beyond what we do currently. Just a reminder, here is the language we are including in all SDP approval letters:

"This approval letter does not constitute approval of any Medicaid managed care plan contracts or rate certifications for the aforementioned rating period(s), or any specific Medicaid financing mechanism used to support the provider payment arrangement. All other federal laws and regulations apply. CMS reserves its authority to enforce requirements in the Social Security Act and implementing regulations, including by initiating separate deferrals and/or disallowances of federal financial participation. This approval letter only satisfies the regulatory requirement pursuant to 42 CFR 438.6(c)(2) for written approval prior to implementation of any payment arrangement described in 42 CFR 438.6(c)(1). Approval of the corresponding Medicaid managed care plan contracts and rate certifications is still required."

Thanks,

Laura

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>

Sent: Monday, September 11, 2023 6:46 AM

To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: Re: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Looking through the state's responses to round two, I'd like to have some additional time if possible.

Essentially, the state does not provide the source of the non-federal share for at least one of the facilities and questions the accuracy of the chart that they provided. For example "

STATE RESPONSE: None of the above includes George Weems Hospital, which is a public hospital in Region 2. However, George Weems Hospital, and in fact all of the public hospitals in Region 2, will have a zero percent rate increase in Year 3 and will not be transferring any funds.

The chart above is incorrect with respect to the North Broward Hospital District and the Public Health Trust of Miami-Dade County. Both the North Broward Hospital District and the Public Health Trust of Miami-Dade County have the authority to assess (and do assess) ad valorem taxes. Thus, the response for whether the Transferring Entity has General Taxing Authority should be "Yes."

The entity that is transferring funds for Ed Fraser Memorial Hospital is Baker County Hospital Authority, which is a hospital taxing district with general taxing authority. Baker County Hospital Authority should have been listed rather than Ed Fraser Memorial Hospital.

Lee Health is a public hospital and a special district created under Florida law but does not have general taxing authority. Lee Health's transfer is derived from public funds permitted to be transferred pursuant to 42 C.F.R. Â§ 433.51.

Does DMCP expect the state to update their IGT documents (yellow)? To me, if the files sent to us are incorrect, they should be corrected. With regard to Lee Health (green), that response doesn't really answer our question of "What is the source of the non-federal share if the provider does not have access to state tax revenue or state appropriations?" Just because a provider is considered "public" it doesn't always mean that they can provide an IGT.

I'd also like to elevate the "pre-arranged" language that the state has indicated in their response that they cannot address at this time. Perhaps it's something for which we can say: "There is risk associated with the retention of this language. IGT funds found to be derived from non-bona fide provider related donations could be subject to future financial findings."

Let me know how much time you think you can give us.

Thanks,

Andrew

From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Date: Thursday, September 7, 2023 at 10:56 AM

To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: RE: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Good Morning Andrew and FMG Team,

Florida has submitted the attached responses and a revised preprint related to CMS's Round 2 questions. The files are also available at the following link: [Box File](#)

We request an expedited review of the state's responses and preprint revisions. Please let us know if FMG has any concerns with this funding source and/or has follow up questions that you would like us to send the state by September 11, 2023. If additional time is needed, please let us know. If DMCP does not receive a response by this deadline, we will assume that you have no questions for the state on the financing of this payment arrangement and concur with the approval of the preprint. Thanks for your review!

Thank you,

Lovie

From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Sent: Monday, August 21, 2023 12:13 PM

To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Andrew,

Thank you for the updated questions and feedback. We appreciate FMG's review.

-Lovie

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>
Sent: Monday, August 21, 2023 12:06 PM
To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: Re: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Please see edited list of questions/requests below.

What I don't know is whether or not we ask any questions about Ad Valorem taxes when it comes to funding IGTs. We can send these forward, and potentially just wait and see how/if a lawsuit plays out here, but I'm not sure where we would go with it.

Thanks,

Andrew

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>
Date: Monday, August 21, 2023 at 7:34 AM
To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: Re: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Lovie

1. In response to the state's question #18, the state asked us to identify the hospitals that do not have taxing authority and do not have access to appropriations. The state identified Jackson Memorial and George Weems Hospital, and noted their sources of fundings. Upon review of the submitted data, the state's original list from the original Att. 35 Spreadsheet included the following four hospitals/entities:

| | Name of Entities transferring funds | Operational nature of the Transferring Entity | Total Amounts Transferred by This Entity | Does the Transferring Entity have General Taxing Authority | Did the Trans Entity approve |
|-----------|--|---|--|--|------------------------------|
| Region 4 | Ed Fraser Memorial Hospital | Other | 1 182,76 | No | No |
| Region 8 | Lee Health | Other | 0 46,413,68 | No | No |
| Region 10 | North Broward Hospital District | Other | 2 40,770,52 | No | No |
| Region 11 | Public Health Trust of Miami-Dade County | Other | 4 143,479,67 | No | No |

It seems that the state has provided sources for the Public Health Trust of Miami-Dade County, which operates Jackson Memorial, as Ad Valorem taxes. It's not clear which of the above includes George Weems Hospital, though. Please advise where the funding for the above four entities comes from if they do not have access to state appropriated funds, or general taxing authority.

2. In reviewing the IGT agreement document provided by the state, I have the following requests:

In Section A.6, the language says:

IGT Provider confirms that there are no pre-arranged agreements (contractual or otherwise) between the respective counties, taxing districts, and/or the providers to re-direct any portion of these aforementioned supplemental payments in order to satisfy non-Medicaid, non-uninsured, and non-underinsured activities.

We request the removal of the term "pre-arranged" as this implies that there may be agreements, so long as the agreements are reached after the supplemental payment program is implemented. We believe this interpretation is supported by the language in A.7 below, which implies that the transferring IGT providers are engaging in agreements with non-IGTing providers regarding the payments and the non-federal share. Please advise.

IGT Provider agrees the following provision shall be included in any agreements between IGT Provider and local providers where IGT funding is provided pursuant to this LOA. Funding provided in this agreement shall be prioritized so that designated IGT funding shall first be used to fund the Medicaid program and used secondarily for other purposes.

Thanks,

Andrew

From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Date: Wednesday, August 16, 2023 at 10:25 AM

To: Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Jonathan,

Will do, thank you. We appreciate FMG's review and feedback!

Thanks,

Lovie

From: Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>
Sent: Wednesday, August 16, 2023 7:08 AM
To: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>
Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Lovie,

Thank you. That document is very helpful. I don't think that there are any additional questions that we would want to ask now. Further questions would best be addressed in the FMR. As may know, Rory has cleared us to go forward with the 2023 FMR once the judge clarified that the PI for the CIB applied only to Texas and not nationally. However, he has instructed us not to reach out to either the state or to providers at this time. Please let us know when this SDP is approved and send us a copy of the approval. We assume the same language as was in the Texas approval will be in the Florida approval since you told us it will be in all future approvals. Thank you.

Best,

Jonathan

Jonathan Endelman, PhD
Acting Technical Director
Centers for Medicare & Medicaid Services (CMS)

Center for Medicaid and CHIP Services (CMCS)

Financial Management Group (FMG)

Division of Financial Policy (DFP)

410.786.4738

jonathan.endelman@cms.hhs.gov

7500 Security Blvd.

Mail Stop, S3-14-28

Baltimore, MD 21244-1850

From: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>

Sent: Wednesday, August 16, 2023 6:00 AM

To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>

Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

+Lydia Briggs for operational awareness.

Chris Thompson

Division Director

Division of Reimbursement Policy

Center for Medicaid and CHIP Services

Centers for Medicare & Medicaid Services

7500 Security Blvd., Mail Stop S3-14-28

Baltimore, MD 21244

Phone: (410) 257-1676

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From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Sent: Tuesday, August 15, 2023 2:55 PM

To: Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <

Appointment Title: FY 24 FMR Proposals - initial discussion
Organizer: Gavens, Jay (CMS/CMCS)
Attendees: Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS)
Location: https://cms.zoomgov.com/j/ (b)(6) ?pwd= (b)(6)
9
Start Time: 8/8/2023 12:30:00 PM -0400
End Time: 8/8/2023 1:00:00 PM -0400
Reminder Time: N/A
Reminder Set: false
Duration: 30 minutes
Is Recurring: false
Reccurance Type: Not
Reccurance Pattern:
Response Status: 5
Busy Status: Tentative
Attachments: Analysis of FY 24 FMR proposals (for discussion).xlsx

To begin discussion on the FY 24 FMR proposals received.

Jay Gavens is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

[\(b\)\(6\)](https://cms.zoomgov.com/j/ (b)(6) ?pwd= (b)(6))

Meeting ID: (b)(6)

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This meeting may be recorded. The host is responsible for maintaining any official recordings/transcripts of this meeting. If recorded, this meeting becomes an official record and shall be retained by the host in their files for 3 years or if longer needed for agency business. If a recording intends be fully transcribed or is being captured for the purpose of creating meeting minutes, the host shall retain the record in their files for 3 years or if no longer needed for agency business, whichever is later.

Appointment Title: FMG Internal Prep for Mega Clearance/CMCS Clearance

Organizer: adams, lia (CMS/CMCS)

Attendees: Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS); CMS - FMG Front Office; CMS - FMG-Division Directors; Cuno, Richard (CMS/CMCS); Burdullis, Brian (CMS/CMCS); Kimball (he,him), Richard (CMS/CMCS)

Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]?pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]?pwd=[(b)(6)])

Start Time: 8/30/2023 11:30:00 AM -0400

End Time: 8/30/2023 12:00:00 PM -0400

Reminder Time: 8/30/2023 11:15:00 AM -0400

Reminder Set: true

Duration: 30 minutes

Is Recurring: false

Reccurance Type: Not

Reccurance Pattern:

Response Status: 5

Busy Status: Tentative

Wednesday, August 30th CMCS Clearance (OA Issues): DSH TPP Final Rule

Thursday, August 31st Mega Clearance: 1) California FY 2020 FMR 2) SBS NOFO

Note to Division Managers: Attendance can be on an issue specific basis, dependent on what is slated for Joint Clearance. Additionally, please forward meeting appointment to relevant folks as needed.

Please let me know if you have any questions.

Lia Adams is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

[https://cms.zoomgov.com/j/\[\(b\)\(6\)\]?pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]?pwd=[(b)(6)])

Meeting ID [(b)(6)]

Password [(b)(6)]

One tap mobile

+16692545252, (b)(6) US (San Jose)
+16468287666, (b)(6) US (New York)

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Meeting Title: Discuss FL LPPF FMR

From: "Wiley, Evelyn (CMS/CMCS)" <Evelyn.Wiley@cms.hhs.gov>

Sent: 2/1/2023 4:49:10 PM -0500

To: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>; "Gavens, Jay (CMS/CMCS)" <Jay.Gavens@cms.hhs.gov>; "Arnold, Charlie (CMS/CMCS)" <Charlie.Arnold@cms.hhs.gov>; "Clark, Jennifer (CMS/CMCS)" <Jennifer.Clark@cms.hhs.gov>; "Goldstein, Stuart (CMS/CMCS)" <STUART.GOLDSTEIN@cms.hhs.gov>; "Cuno, Richard (CMS/CMCS)" <Richard.Cuno@cms.hhs.gov>; "Lane, Robert (CMS/CMCS)" <Robert.Lane@cms.hhs.gov>; "Barraza, Leticia (CMS/CMCS)" <Leticia.Barraza@cms.hhs.gov>; "Holligan, Ricardo (CMS/CMCS)" <Ricardo.Holligan@cms.hhs.gov>

Attendees: Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS); Gavens, Jay (CMS/CMCS); Arnold, Charlie (CMS/CMCS); Clark, Jennifer (CMS/CMCS); Goldstein, Stuart (CMS/CMCS); Cuno, Richard (CMS/CMCS); Lane, Robert (CMS/CMCS); Barraza, Leticia (CMS/CMCS); Holligan, Ricardo (CMS/CMCS)

Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]?pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]?pwd=[(b)(6)])

Start Time: 2/2/2023 2:00:00 PM -0500

End Time: 2/2/2023 3:00:00 PM -0500

Duration: 1 hours

Reminder Time: 2/2/2023 2:00:00 PM -0500

Is Recurring: false

Recurrence Type: Not

Recurrence Pattern:

Response Status: 5

Busy Status: Tentative

Evelyn Wiley is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

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Password: [(b)(6)]

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Password: 678661

[sip:\(b\)\(6\)@sip.zoomgov.com](sip:(b)(6)@sip.zoomgov.com)

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Meeting Title: FY 24 FMR Proposals - initial discussion
From: "Gavens, Jay (CMS/CMCS)" <Jay.Gavens@cms.hhs.gov>
Sent: 8/4/2023 2:23:52 PM -0400
To: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>
Attendees: Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS)
Location: [https://cms.zoomgov.com/j/\(\(b\)\(6\)\)?pwd=\(\(b\)\(6\)\)9](https://cms.zoomgov.com/j/((b)(6))?pwd=((b)(6))9)
Start Time: 8/8/2023 12:30:00 PM -0400
End Time: 8/8/2023 1:00:00 PM -0400
Duration: 30 minutes
Reminder Time: 8/8/2023 12:30:00 PM -0400
Is Recurring: false
Recurrence Type: Not
Recurrence Pattern:
Response Status: 5
Busy Status: Tentative
Attachments: Analysis of FY 24 FMR proposals (for discussion).xlsx

To begin discussion on the FY 24 FMR proposals received.

Jay Gavens is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

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Meeting Title: FL SDP FY 22 FMR (draft) discussion

From: "Gavens, Jay (CMS/CMCS)" <Jay.Gavens@cms.hhs.gov>

Sent: 8/9/2023 10:44:04 AM -0400

To: "Holligan, Ricardo (CMS/CMCS)" <Ricardo.Holligan@cms.hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Fan, Kristin (CMS/CMCS)" <Kristin.Fan@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Bonelli, Anna (CMS/CMCS)" <Anna.Bonelli@cms.hhs.gov>; "Staton, Sidney (CMS/CMCS)" <Sidney.Staton@cms.hhs.gov>

CC: "Barraza, Leticia (CMS/CMCS)" <Leticia.Barraza@cms.hhs.gov>

Attendees: Holligan, Ricardo (CMS/CMCS); Howe, Rory (CMS/CMCS); Fan, Kristin (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Bonelli, Anna (CMS/CMCS); Staton, Sidney (CMS/CMCS); Barraza, Leticia (CMS/CMCS)

Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]) pwd=[(b)(6)]

Start Time: 8/9/2023 1:00:00 PM -0400

End Time: 8/9/2023 1:30:00 PM -0400

Duration: 30 minutes

Reminder Time: 8/9/2023 1:00:00 PM -0400

Is Recurring: false

Recurrence Type: Not

Recurrence Pattern:

Response Status: 5

Busy Status: Tentative

To discuss / go over the **FL SDP FY 22 draft FMR** in preparation for the Mega Clearance call tomorrow.

Jay Gavens is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

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Meeting Title: Discuss UPL and DFO Quarterly/FMR Reviews

From: "Wiley, Evelyn (CMS/CMCS)" <Evelyn.Wiley@cms.hhs.gov>

Sent: 8/30/2023 10:17:34 AM -0400

To: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>; "Ferguson, Dorothy (CMS/CMCS)" <Dorothy.Ferguson@cms.hhs.gov>; "Curry, Celestine (CMS/CMCS)" <Celestine.Curry@cms.hhs.gov>; "Parris, Robert (CMS/CMCS)" <Robert.Parris@cms.hhs.gov>; "Barraza, Leticia (CMS/CMCS)" <Leticia.Barraza@cms.hhs.gov>; "Thompson, Christopher (CMS/CMCS)" <Christopher.Thompson@cms.hhs.gov>; "Badaracco, Andrew (CMS/CMCS)" <Andrew.Badaracco@cms.hhs.gov>; "Gavens, Jay (CMS/CMCS)" <Jay.Gavens@cms.hhs.gov>

Attendees: Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS); Ferguson, Dorothy (CMS/CMCS); Curry, Celestine (CMS/CMCS); Parris, Robert (CMS/CMCS); Barraza, Leticia (CMS/CMCS); Thompson, Christopher (CMS/CMCS); Badaracco, Andrew (CMS/CMCS); Gavens, Jay (CMS/CMCS)

Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]pwd=[(b)(6)])
9

Start Time: 9/6/2023 1:00:00 PM -0400

End Time: 9/6/2023 1:30:00 PM -0400

Duration: 30 minutes

Reminder Time: 9/6/2023 1:00:00 PM -0400

Is Recurring: false

Recurrence Type: Not

Recurrence Pattern:

Response Status: 5

Busy Status: Tentative

We need a call set up with OGD (Rory, Amber, Jeremy), DFO, DRP, DRR leadership and Jay Gavens, to discuss the UPL reviews and requirements for DFO quarterly/FMR reviews.

Dorothy

Evelyn Wiley is inviting you to a scheduled ZoomGov meeting.

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Meeting Title: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930
From: "Thompson, Christopher (CMS/CMCS)" <Christopher.Thompson@cms.hhs.gov>
Sent: 9/12/2023 12:46:13 PM -0400
To: "Badaracco, Andrew (CMS/CMCS)" <Andrew.Badaracco@cms.hhs.gov>; "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>
Attendees: Badaracco, Andrew (CMS/CMCS); Rory Howe BB; Amber MacCarroll BB; Jeremy Silanskis BB
Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]?pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]?pwd=[(b)(6)])
Start Time: 9/12/2023 2:30:00 PM -0400
End Time: 9/12/2023 3:00:00 PM -0400
Duration: 30 minutes
Reminder Time: 9/12/2023 2:30:00 PM -0400
Is Recurring: false
Recurrence Type: Not
Recurrence Pattern:
Response Status: 5
Busy Status: Tentative

CHRISTOPHER THOMPSON is inviting you to a scheduled ZoomGov meeting.

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Meeting ID: 161 616 2278

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From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>

Sent: Tuesday, September 12, 2023 10:24 AM

To: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Howe, Rory (CMS/CMCS) <Rory.Howe@cms.hhs.gov>; Giles, John (CMS/CMCS) <John.Giles1@cms.hhs.gov>; Maccarroll, Amber (CMS/CMCS) <Amber.MacCarroll@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Subject: Re: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Importance: High

Good morning, Laura –

I elevated this to our group leadership and here are our concerns.

1. Our preference is for the State to remove the “pre-arranged” language as appropriate. In response to Q16 in the Round 1 comments indicated the following:

Please affirm that no payment under this section is dependent on any agreement or arrangement for providers or related entities to donate money or services to a governmental entity.

STATE RESPONSE: The state affirms that that no payment under this section is dependent on any agreement or arrangement for providers or related entities to donate money or services to a governmental entity.

It’s not clear how this affirmation aligns with the state’s response aligns with the state’s response to question #5 in the Rd. 2 questions in which we discuss the “pre-arranged” language. It may be necessary for the state to assess and affirm that the language in the LOA and the affirmation they have made to CMS in Q5 does not permit the providers to engage in any agreements, written or otherwise, that would require any non-governmental providers or related entities to donate money or services to a governmental entity in exchange for the payment under the proposed SDP.

2. The State’s response regarding Lee Health is not complete. The State indicated that Lee Health has neither State appropriated funds or access to tax revenue, so we are asking for the source of the funds for Lee Health. In the past, we have certainly accepted that state’s can designate providers as units of State or local government, but their affirmation that Lee Health is public and has access to funding allowed under 433.51 does not align with the information the State provided in their excel file. Further, the State affirmed that much of the information we copied/pasted directly from their own excel file provided with the pre-print is not accurate, but has yet to be corrected.

Generally speaking, if we received these types of responses as part of a SPA review, FMG would ask additional questions, seek counsel from OGC, and possibly pursue disapproval if adequate information is not provided. I know this feels like a small thing, but we asked similar questions in the other FL SDP regarding the State Teaching Hospitals and would like to avoid accepting incomplete answers and relying upon conditional approval.

At this point, I defer to you all as to how you’d like to proceed and your question about whether or not we move forward with conditional approval.

Happy to meet to discuss if itâ€™s helpful,

Andrew

From: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>
Date: Monday, September 11, 2023 at 9:14 AM
To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: RE: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Andrew,

Based on your feedback, we have a clear question to send them (correct the preprint to accurately reflect the IGTs) that we can send. I think what weâ€™d need clarification from you all on is really item 3 â€” if your OGD is comfortable with the approval letter language covering this or if there is a request for the state to remove the â€œpre-arrangedâ€ language first. Can you let us know the answer to that by COB tomorrow?

Thanks,
Laura

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>
Sent: Monday, September 11, 2023 9:10 AM
To: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; Briggs, Lydia

(CMS/CMCS) <lydia.briggs@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: Re: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Laura â€

Hereâ€™s what I see:

1. The state provided inaccurate information in their IGT write up, which likely needs to be corrected. Does DMCP expect the state to correct the submitted records for their IGTs?
2. Lee Health â€ The state did not answer the question we asked about Lee Health and the source of funds. They just said â€œLee Health is a public provider and eligible to provide non-federal share under 433.51.â€ Itâ€™s not abundantly clear what those sources are, but perhaps the quoted approval letter language would suffice there.
3. Pre-Arranged language â€ This was the one that seems oddest to me. The agreement includes language that would permit providers to enter into agreements after approval of the SDPs that might permit the providers to pool their IGT funds or recycle funding. Again, this might fall into the quoted language you cited, but I want to get concurrence from our OGD.

Thanks,

Andrew

From: Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>

Date: Monday, September 11, 2023 at 8:54 AM

To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: RE: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Andrew,

Given the in person meeting on 9/13 this week, weâ€™d ask for any additional feedback by **COB 9/12** if possible.

We can plan to ask the state to correct the preprint for the yellow highlighted items as we agree that the preprint should reflect accurate info.

What would be most helpful for the item in green and the â€œpre-arrangedâ€ language is:

1. if there are specific questions/feedback/requests that the state change something in the preprint that we need to send back to FL **and/or**
2. if there is language FMG would recommend be included in the approval letter instead beyond what we do currently. Just a reminder, here is the language we are including in all SDP approval letters:

â€œThis approval letter does not constitute approval of any Medicaid managed care plan contracts or rate certifications for the aforementioned rating period(s), or any specific Medicaid financing mechanism used to support the provider payment arrangement. All other federal laws and regulations apply. CMS reserves its authority to enforce requirements in the Social Security Act and implementing regulations, including by initiating separate deferrals and/or disallowances of federal financial participation. This approval letter only satisfies the regulatory requirement pursuant to 42 CFR 438.6(c)(2) for written approval prior to implementation of any payment arrangement described in 42 CFR 438.6(c)(1). Approval of the corresponding Medicaid managed care plan contracts and rate certifications is still required.â€

Thanks,

Laura

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>

Sent: Monday, September 11, 2023 6:46 AM

To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: Re: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Looking through the stateâ€™s responses to round two, Iâ€™d like to have some additional time if possible.

Essentially, the state does not provide the source of the non-federal share for at least one of the facilities and questions the accuracy of the chart that they provided. For example â€œ

STATE RESPONSE: None of the above includes George Weems Hospital, which is a public hospital in Region 2. However, George Weems Hospital, and in fact all of the public hospitals in Region 2, will have a zero percent rate increase in Year 3 and will not be transferring any funds.

The chart above is incorrect with respect to the North Broward Hospital District and the Public Health Trust of Miami-Dade County. Both the North Broward Hospital District and the Public Health Trust of Miami-Dade County have the authority to assess (and do assess) ad valorem taxes. Thus, the response for whether the Transferring Entity has General Taxing Authority should be â€œYes.â€

The entity that is transferring funds for Ed Fraser Memorial Hospital is Baker County Hospital Authority, which is a hospital taxing district with general taxing authority. Baker County Hospital Authority should have been listed rather than Ed Fraser Memorial Hospital.

Lee Health is a public hospital and a special district created under Florida law but does not have general taxing authority. Lee Health's transfer is derived from public funds permitted to be transferred pursuant to 42 C.F.R. Â§ 433.51.

Does DMCP expect the state to update their IGT documents (yellow)? To me, if the files sent to us are incorrect, they should be corrected. With regard to Lee Health (green), that response doesn't really answer our question of â€œWhat is the source of the non-federal share if the provider does not have access to state tax revenue or state appropriations?â€ Just because a provider is considered â€œpublicâ€ it doesn't always mean that they can provide an IGT.

I'd also like to elevate the â€œpre-arrangedâ€ language that the state has indicated in their response that they cannot address at this time. Perhaps it's something for which we can say: â€œThere is risk associated with the retention of this language. IGT funds found to be derived from non-bona fide provider related donations could be subject to future financial findings.â€

Let me know how much time you think you can give us.

Thanks,
Andrew

From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Date: Thursday, September 7, 2023 at 10:56 AM
To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, Briggs, Lydia (CMS/CMCS) <lydia.briggs@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: RE: Urgent FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Good Morning Andrew and FMG Team,

Florida has submitted the attached responses and a revised preprint related to CMS's Round 2 questions. The files are also available at the following link: [Box File](#)

We request an expedited review of the state's responses and preprint revisions. Please let us know if FMG has any concerns with this funding source and/or has follow up questions that you would like us to send the state by September 11, 2023. If additional time is needed, please let us know. If DMCP does not receive a response by this deadline, we will assume that you have no questions for the state on the financing of this payment arrangement and concur with the approval of the preprint. Thanks for your review!

Thank you,
Lovie

From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Sent: Monday, August 21, 2023 12:13 PM
To: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS)

<Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Andrew,

Thank you for the updated questions and feedback. We appreciate FMG's review.

-Lovie

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>

Sent: Monday, August 21, 2023 12:06 PM

To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>; CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Subject: Re: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Please see edited list of questions/requests below.

What I don't know is whether or not we ask any questions about Ad Valorem taxes when it comes to funding IGTs. We can send these forward, and potentially just wait and see how/if a lawsuit plays out here, but I'm not sure where we would go with it.

Thanks,

Andrew

From: Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>

Date: Monday, August 21, 2023 at 7:34 AM

To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>, Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>, Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>
Subject: Re: FMG Review Request: FL_Fee_IPH4_Renewal_20221001-20230930

Hi Lovie

1. In response to the state's question #18, the state asked us to identify the hospitals that do not have taxing authority and do not have access to appropriations. The state identified Jackson Memorial and George Weems Hospital, and noted their sources of fundings. Upon review of the submitted data, the state's original list from the original Att. 35 Spreadsheet included the following four hospitals/entities:

| | Name of Entities transferring funds | Operational nature of the Transferring Entity | Total Amounts Transferred by This Entity | Does the Transferring Entity have General Taxing Authority | Did the Transferring Entity have access to appropriations |
|-----------|--|---|--|--|---|
| Region 4 | Ed Fraser Memorial Hospital | Other | 1 182,76 | No | No |
| Region 8 | Lee Health | Other | 0 46,413,68 | No | No |
| Region 10 | North Broward Hospital District | Other | 2 40,770,52 | No | No |
| Region 11 | Public Health Trust of Miami-Dade County | Other | 4 143,479,67 | No | No |

It seems that the state has provided sources for the Public Health Trust of Miami-Dade County, which operates Jackson Memorial, as Ad Valorem taxes. It's not clear which of the above includes George Weems Hospital.

Weems Hospital, though. Please advise where the funding for the above four entities comes from if they do not have access to state appropriated funds, or general taxing authority.

2. In reviewing the IGT agreement document provided by the state, I have the following requests:

In Section A.6, the language says:

“IGT Provider confirms that there are no pre-arranged agreements (contractual or otherwise) between the respective counties, taxing districts, and/or the providers to re-direct any portion of these aforementioned supplemental payments in order to satisfy non-Medicaid, non-uninsured, and non-underinsured activities.”

We request the removal of the term “pre-arranged” as this implies that there may be agreements, so long as the agreements are reached after the supplemental payment program is implemented. We believe this interpretation is supported by the language in A.7 below, which implies that the transferring IGT providers are engaging in agreements with non-IGTing providers regarding the payments and the non-federal share. Please advise.

“IGT Provider agrees the following provision shall be included in any agreements between IGT Provider and local providers where IGT funding is provided pursuant to this LOA. Funding provided in this agreement shall be prioritized so that designated IGT funding shall first be used to fund the Medicaid program and used secondarily for other purposes.”

Thanks,

Andrew

From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Date: Wednesday, August 16, 2023 at 10:25 AM

To: Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>, Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>, Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>, Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>, Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>, Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>, Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>, Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov> ,

Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>, CMS State Directed Payment
<StateDirectedPayment@cms.hhs.gov>

Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Hi Jonathan,

Will do, thank you. We appreciate FMG's review and feedback!

Thanks,

Lovie

From: Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>

Sent: Wednesday, August 16, 2023 7:08 AM

To: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; CMS State Directed Payment
<StateDirectedPayment@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>;
Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS)
<Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS)
<Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex
(CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>

Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

Lovie,

Thank you. That document is very helpful. I don't think that there are any additional questions that we would want to ask now. Further questions would best be addressed in the FMR. As may know, Rory has cleared us to go forward with the 2023 FMR once the judge clarified that the PI for the CIB applied only to Texas and not nationally. However, he has instructed us not to reach out to either the state or to providers at this time. Please let us know when this SDP is approved and send us a copy of the approval. We assume the same language as was in the Texas approval will be in the Florida approval since you told us it will be in all future approvals. Thank you.

Best,

Jonathan

Jonathan Endelman, PhD
Acting Technical Director
Centers for Medicare & Medicaid Services (CMS)
Center for Medicaid and CHIP Services (CMCS)
Financial Management Group (FMG)
Division of Financial Policy (DFP)
410.786.4738
jonathan.endelman@cms.hhs.gov
7500 Security Blvd.
Mail Stop, S3-14-28
Baltimore, MD 21244-1850

From: Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>
Sent: Wednesday, August 16, 2023 6:00 AM
To: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>; Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>
Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <Alexandra.Loizias@cms.hhs.gov>
Subject: RE: FMG Review Request: FL_Fee_IPH.OPH4_Renewal_20221001-20230930

+Lydia Briggs for operational awareness.

Chris Thompson
Division Director
Division of Reimbursement Policy
Center for Medicaid and CHIP Services
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From: CMS State Directed Payment <StateDirectedPayment@cms.hhs.gov>

Sent: Tuesday, August 15, 2023 2:55 PM

To: Endelman (he/him), Jonathan (CMS/CMCS) <Jonathan.Endelman@cms.hhs.gov>; Badaracco, Andrew (CMS/CMCS) <Andrew.Badaracco@cms.hhs.gov>; Goldstein, Stuart (CMS/CMCS) <STUART.GOLDSTEIN@cms.hhs.gov>; Lyles, Tia (CMS/CMCS) <Tia.Lyles@cms.hhs.gov>; Silanskis, Jeremy (CMS/CMCS) <Jeremy.Silanskis@cms.hhs.gov>

Cc: Bonelli, Anna (CMS/CMCS) <Anna.Bonelli@cms.hhs.gov>; Snyder, Laura (CMS/CMCS) <Laura.Snyder1@cms.hhs.gov>; Thompson, Christopher (CMS/CMCS) <Christopher.Thompson@cms.hhs.gov>; Kennedy, Jocelyn (CMS/CMCS) <Jocelyn.Kennedy@cms.hhs.gov>; Loizias, Alex (CMS/CMCS) <

Meeting MBES vs. FMR data
Title:
From: "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>
Sent: 3/29/2023 10:31:24 AM -0400
To: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; Elizabeth Williams <ElizabethW@kff.org>; Robin Rudowitz <RobinR@kff.org>; Alice Burns <AliceB@kff.org>
Attendees: Howe, Rory (CMS/CMCS) (Rory.Howe@cms.hhs.gov); Elizabeth Williams; Robin Rudowitz; Alice Burns
Location: https://cms.zoomgov.com/j/ (b)(6) ?pwd= (b)(6)
9
Start Time: 3/31/2023 1:30:00 PM -0400
End Time: 3/31/2023 2:00:00 PM -0400
Duration: 30 minutes
Reminder Time: 3/31/2023 1:30:00 PM -0400
Is false
Recurring:
Recurrence Type: Not
Recurrence Pattern:
Response Status: 5
Busy Status: Tentative

Amber MacCarroll is inviting you to a scheduled ZoomGov meeting.

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-

Background:

Hi Amber and others,

Thank you for connecting on Medicaid data! Now that we know who to reach out to, we thought we'd send some more specific data to guide our questions and conversation.

We are currently attempting to estimate the fiscal relief states will have received through the FFCRA 6.2PP FMAP bump through March 2023 and potentially, through the end of December 2023. This is an update of a [piece](#) we put out last year, using some updated methodology and data sources. At a high level, our fiscal relief calculations are based on total Medicaid spending data (excluding group VIII expenditures), and we are deciding whether to base our estimates on the quarterly MBES group VIII expenditure reports or the annual FMR reports. We are also comparing our model estimates to the fiscal relief under FFCRA section 6008 reported through MBES [here](#).

The attached excel file includes two tabs: the first one shows the differences between the MBES and FMR total spending amounts for FY 2021 and the second shows the estimated

fiscal relief for FY 2020 and FY 2021 from the MBES. Some specific questions are listed below.

1. Do you know why the FMR and quarterly MBES estimates for total spending are so different? The attached file shows those differences, which are particularly notable in CA and WA in FY 2021.
 - a. Our understanding is that the data sources differ because the FMR reports include collections and overpayment while the MBES does not and because the MBES quarterly estimates include prior period adjustment claims. Do you know whether the differences are primarily attributable to one of those factors or the other?
 - b. When comparing total Medicaid spending growth from FY20 to FY21 for all 50 states and DC, the MBES total grows 5% while the FMR report total grows by 10%. When thinking about Medicaid growth rates, what do you think is the most likely scenario?
 - c. Given all of these factors, would you recommend using one of those sources over the other for our analysis of fiscal relief during the continuous enrollment period?
2. We are comparing our estimates of fiscal relief to those posted [here](#) and have noticed some discrepancies that we are having trouble explaining.
 - a. Are there timing issues or other situations such that the timing of when the payments show up in the MBES may be different from when the payments were made or the states incurred the costs?
 - b. For 3 states, fiscal relief was lower in 2021 than in 2020, which was surprising to us as the FMAP bump only applied to three quarters of 2020. Do you have any thoughts as to why that might be the case?
 - c. We noticed some big differences in the total computable all medical assistance expenditures depending on whether we pull spending totals from the [group VIII expenditure reports](#) or the [FFCRA increased FMAP expenditure report](#). Do you know why the total spending would be different across those two reports?
 - i. For example, CA's total spending for the quarter ending 3/2022 was reported as \$31,926,997,852 in the increased FMAP report, but \$21,939,995,197 in the group VIII expenditure report.

Let us know if it would be easier to set up a call to discuss.

Thank you,

Liz, Robin, & Alice

Meeting Title: FAR #1, 2019 Utah Admin. Fees FMR

From: "Wiley, Evelyn (CMS/CMCS)" <Evelyn.Wiley@cms.hhs.gov>

Sent: 11/17/2022 12:12:05 PM -0500

To: "Howe, Rory (CMS/CMCS)" <Rory.Howe@cms.hhs.gov>; "Maccarroll, Amber (CMS/CMCS)" <Amber.MacCarroll@cms.hhs.gov>; "Silanskis, Jeremy (CMS/CMCS)" <Jeremy.Silanskis@cms.hhs.gov>; "Gavens, Jay (CMS/CMCS)" <Jay.Gavens@cms.hhs.gov>; "Badaracco, Andrew (CMS/CMCS)" <Andrew.Badaracco@cms.hhs.gov>; "Halter, Mark (CMS/CMCS)" <Mark.Halter@cms.hhs.gov>; "Ta, Anh (CMS/CMCS)" <Anh-Dung.Ta@cms.hhs.gov>; "Branch, Jeoffrey (CMS/CMCS)" <Jeoffrey.Branch@cms.hhs.gov>; "Ferguson, Dorothy (CMS/CMCS)" <Dorothy.Ferguson@cms.hhs.gov>; "Curry, Celestine (CMS/CMCS)" <Celestine.Curry@cms.hhs.gov>

Attendees: Howe, Rory (CMS/CMCS); Maccarroll, Amber (CMS/CMCS); Silanskis, Jeremy (CMS/CMCS); Gavens, Jay (CMS/CMCS); Badaracco, Andrew (CMS/CMCS); Halter, Mark (CMS/CMCS); Ta, Anh (CMS/CMCS); Branch, Jeoffrey (CMS/CMCS); Ferguson, Dorothy (CMS/CMCS); Curry, Celestine (CMS/CMCS)

Location: [https://cms.zoomgov.com/j/\[\(b\)\(6\)\]?pwd=\[\(b\)\(6\)\]](https://cms.zoomgov.com/j/[(b)(6)]?pwd=[(b)(6)])
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Start Time: 11/23/2022 12:30:00 PM -0500

End Time: 11/23/2022 1:00:00 PM -0500

Duration: 30 minutes

Reminder Time: 11/23/2022 12:30:00 PM -0500

Is Recurring: false

Recurrence Type: Not

Recurrence Pattern:

Response Status: 5

Busy Status: Tentative

Evelyn Wiley is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting

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