

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-25-26
Baltimore, Maryland 21244-1850



State Demonstrations Group

July 14, 2021

Dennis R. Schrader
Chief Operating Officer & Medicaid Director
Maryland Department of Health and Mental Hygiene
201 West Preston Street, Room 525
Baltimore, MD 21201

Dear Mr. Schrader:

Thank you for your recent application which proposes to renew Maryland's section 1115(a) Medicaid demonstration titled, "HealthChoice" (Project No: 11-W-00099/3). The Centers for Medicare & Medicaid Services (CMS) received Maryland's request on June 30, 2021, and has completed its preliminary review to find the state's application complete in accordance with 42 CFR 431.412(a).

In light of the national public health emergency concerning COVID-19 and statewide social distancing guidance to prevent its spread, teleconference meetings were held on May 11, 2021, and May 27, 2021, to solicit feedback on the state's proposal. These meetings were permissible through CMS's authority under 42 CFR 431.416(g)(2), which allows a state to depart from normal public notice procedures due to the unforeseen nature of the public health emergency.

Under 42 CFR 431.416(g)(3), in order for a state to receive an exemption under section 42 CFR 431.416(g)(2), the state must meet three criteria:

- i. The state must be acting in good faith, and in a diligent, timely, and prudent manner;
- ii. The circumstances must constitute an emergency that could not have been reasonably foreseen; and
- iii. It must be the case that a delay would undermine or compromise the purpose of the demonstration and be contrary to the interests of beneficiaries.

CMS has determined that the state has met these criteria.

Maryland's application will be posted on Medicaid.gov and the comment period will last 30-days in accordance with 42 CFR 431.416(b). During that time, the state's application will be available at: https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers_faceted.html.

We look forward to working with you and your staff on the proposed demonstration renewal application. If you have additional questions or concerns, please contact your CMS project officer, Mr. Felix Milburn, at Felix.Milburn@cms.hhs.gov.

Sincerely,

Angela D Garner
Director
Division of System Reform Demonstration

cc: Talbatha Myatt, State Monitoring Lead, CMS Medicaid and CHIP Operations Group