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State/Territory Name: Nebraska

State Plan Amendment (SPA) #: 24-0003

This file contains the following documents in the order listed:

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- 3) Approved SPA Pages

NE - Submission Package - NE2023MS0004O - (NE-24-0003) - Eligibility

Summary Reviewable Units Versions Correspondence Log Analyst Notes **Approval Letter** Transaction Logs News Related Actions

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Medicaid and CHIP Operations Group
601 East 12th Street
Room 355
Kansas City, MO 64106



Center for Medicaid & CHIP Services

December 08, 2023

Kevin Bagley
Director of Medicaid and Long Term Care
Nebraska Department of Health and Human Services
301 Centennial Mall South
Lincoln
Nebraska, NE 68509

Re: Approval of State Plan Amendment NE-24-0003

Dear Kevin Bagley,

On September 27, 2023, the Centers for Medicare and Medicaid Services (CMS) received Nebraska State Plan Amendment (SPA) NE-24-0003, in which the state proposed to elect the option described in section 1902(e)(16) of the Social Security Act to provide 12 months of postpartum coverage to Medicaid-eligible pregnant individuals.

We approve Nebraska State Plan Amendment (SPA) NE-24-0003 with an effective date(s) of January 01, 2024.

If you have any questions regarding this amendment, please contact Tyson Christensen at tyson.christensen@cms.hhs.gov

Sincerely,
James G. Scott
Director, Division of Program Operations
Center for Medicaid & CHIP Services

NE - Submission Package - NE2023MS0004O - (NE-24-0003) - Eligibility

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Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | NE2023MS0004O | NE-24-0003

CMS-10434 OMB 0938-1188

Package Header

| | | | |
|--------------------------|---------------|--------------------------------|------------|
| Package ID | NE2023MS0004O | SPA ID | NE-24-0003 |
| Submission Type | Official | Initial Submission Date | 9/27/2023 |
| Approval Date | 12/08/2023 | Effective Date | N/A |
| Superseded SPA ID | N/A | | |

State Information

State/Territory Name: Nebraska

Medicaid Agency Name: Nebraska Department of Health and Human Services

Submission Component

- State Plan Amendment
- Medicaid
- CHIP

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | NE2023MS00040 | NE-24-0003

Package Header

Package ID NE2023MS00040
Submission Type Official
Approval Date 12/08/2023
Superseded SPA ID N/A

SPA ID NE-24-0003
Initial Submission Date 9/27/2023
Effective Date N/A

SPA ID and Effective Date

SPA ID NE-24-0003

| Reviewable Unit | Proposed Effective Date | Superseded SPA ID |
|--|-------------------------|-------------------|
| Continuous Eligibility for Pregnant Women and Extended Postpartum Coverage | 1/1/2024 | NA |

Page Number of the Superseded Plan Section or Attachment (If Applicable):

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | NE2023MS00040 | NE-24-0003

Package Header

| | | | |
|--------------------------|---------------|--------------------------------|------------|
| Package ID | NE2023MS00040 | SPA ID | NE-24-0003 |
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| Approval Date | 12/08/2023 | Effective Date | N/A |
| Superseded SPA ID | N/A | | |

Executive Summary

Summary Description Including Goals and Objectives Nebraska is submitting this state plan amendment to implement Sections 9812 and 9822 of the American Rescue Plan Act of 2021, amended by Section 5113 of the Consolidated Appropriations Act, 2023. These sections provide extended postpartum coverage of 12 months in Medicaid and Children's Health Insurance Program (CHIP).

Federal Budget Impact and Statute/Regulation Citation

Federal Budget Impact

| | Federal Fiscal Year | Amount |
|--------|---------------------|------------|
| First | 2024 | \$5497853 |
| Second | 2025 | \$10992243 |

Federal Statute / Regulation Citation

Sections 9812 and 9822 of the American Rescue Plan Act of 2021, amended by Section 5113 of the Consolidated Appropriations Act, 2023

Supporting documentation of budget impact is uploaded (optional).

| Name | Date Created | |
|--------------------|--------------|--|
| No items available | | |

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | NE2023MS00040 | NE-24-0003

Package Header

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Governor's Office Review

- No comment
- Comments received
- No response within 45 days
- Other

Describe Governor has waived review

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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NE - Submission Package - NE2023MS0004O - (NE-24-0003) - Eligibility

Summary Reviewable Units Versions Correspondence Log Analyst Notes Approval Letter Transaction Logs News **Related Actions**

Medicaid State Plan Eligibility

Eligibility and Enrollment Processes

Continuous Eligibility for Pregnant Women and Extended Postpartum Coverage

MEDICAID | Medicaid State Plan | Eligibility | NE2023MS0004O | NE-24-0003

CMS-10434 OMB 0938-1188

Package Header

| | | | |
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| Package ID | NE2023MS0004O | SPA ID | NE-24-0003 |
| Submission Type | Official | Initial Submission Date | 9/27/2023 |
| Approval Date | 12/08/2023 | Effective Date | <u>1/1/2024</u> |
| Superseded SPA ID | NA | | |
| | User-Entered | | |

The state provides continuous eligibility for pregnant individuals and extended postpartum coverage in accordance with the following provisions:

A. Mandatory Continuous Eligibility for Pregnant Women

The state provides continuous eligibility to pregnant individuals who were eligible and enrolled under the state plan, without regard to any changes in income that otherwise would result in ineligibility, through the last day of the month in which a 60-day postpartum period (beginning on the last day of the pregnancy) ends. This extension does not apply to pregnant individuals eligible only during a period of presumptive eligibility.

B. Optional 12-Month Postpartum Continuous Eligibility for Pregnant Women

The state provides continuous eligibility to pregnant individuals who were eligible and enrolled under the state plan while pregnant (including during a period of retroactive eligibility) through the last day of the month in which a 12-month postpartum period (beginning on the last day of the pregnancy) ends. The 12-month postpartum continuous eligibility option applies for the period beginning on the effective date of this reviewable unit and is available through March 31, 2027 (or other date as specified by law).

- Yes
 No

1. This extension does not apply to pregnant individuals eligible only during a period of presumptive eligibility.
2. Full benefits are provided for a pregnant or postpartum individual under this option. This includes all items and services covered under the state plan (or waiver) that are not less in amount, duration, or scope than, or are determined by the Secretary to be substantially equivalent to, the medical assistance available for an individual described in subsection 1902 (a)(10)(A)(i) of the Act.
3. Continuous eligibility is provided to pregnant individuals eligible and enrolled under the state plan through the end of the 12-month postpartum period who would otherwise lose eligibility because of a change in circumstances, unless:
 - a. The individual requests voluntary termination of eligibility;
 - b. The individual ceases to be a resident of the state;
 - c. The Medicaid agency determines that eligibility was determined incorrectly at the most recent determination or redetermination of eligibility because of agency error or fraud, abuse or perjury attributed to the individual; or
 - d. The individual dies.

C. Additional Information (optional)

Section 5113 of the Consolidated Appropriations Act, 2023 eliminated, without replacement, the March 31, 2027, sunset date of the 12-month postpartum continuous eligibility option. Therefore, the durational limit of the option that is described in Section B. does not apply.

PRA Disclosure Statement: Centers for Medicare & Medicaid Services (CMS) collects this mandatory information in accordance with (42 U.S.C. 1396a) and (42 CFR 430.12); which sets forth the authority for the submittal and collection of state plans and plan amendment information in a format defined by CMS for the purpose of improving the state application and federal review processes, improve federal program management of Medicaid programs and Children's Health Insurance Program, and to standardize Medicaid program data which covers basic requirements, and individualized content that reflects the characteristics of the particular state's program. The information will be used to monitor and analyze performance metrics related to the Medicaid and Children's Health Insurance Program in efforts to boost program integrity efforts, improve performance and accountability across the programs. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1188. The time required to complete this information collection is estimated to range from 1 hour to 80 hours per response (see below), including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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