

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-03-17
Baltimore, Maryland 21244-1850



State Demonstrations Group

MAR 28 2018

Marie Zimmerman
Medicaid Director
Minnesota Department of Human Services
P.O. Box 64983
St. Paul, MN 55164-0983

Dear Ms. Zimmerman:

Thank you for your request for a new section 1115 demonstration entitled, "Minnesota Substance Use Disorder System Reform." The Centers for Medicare & Medicaid Services (CMS) received your request on March 15, 2018. We have completed review of your application request in accordance with the April 27, 2012 CMS Final Rule on transparency and public notice procedures for section 1115 demonstration projects and determined that the state's application does not meet the requirements for a complete initial application as specified under section 42 C.F.R. §431.412(a).

The state's application must include documentation of compliance with the public notice process set forth in 42 C.F.R. §431.408. The documentation included in the state's application, and confirmed during today's follow-up call, indicates Minnesota did not comply with the full public notice process outlined in 42 C.F.R. §431.408(a)(1); thereby the state's application did not contain sufficient documentation of how the state's public notice process complied with subpart §431.408 as required by 42 C.F.R. §431.412(a)(1)(viii).

Specifically, the state omitted the estimate of the expected increase or decrease in annual enrollment, and in annual aggregate expenditures, from its full public notice document as required by 42 C.F.R. §431.408(a)(1)(i)(C). The state also did not clearly identify the goals and objectives to be implemented under the demonstration as required by 42 C.F.R. §431.408(a)(1)(i)(A). Last, the state's application submission to CMS did not contain sufficient written documentation of the state's compliance with the public notice requirements in 42 CFR §431.408; particularly documentation of how the state's full public notice, abbreviated public notice, and tribal consultation notification used to solicit input aligned with the elements outlined in this subpart.

At this time, CMS will not begin our 30-day federal public comment and notice process as specified under 42 C.F.R. §431.416(b). When the state submits a revised application that includes the missing elements as described below, after completion of another minimum 30-day

public comment period, CMS will conduct another preliminary review to determine if the revised request is complete in accordance with the requirements at 42 C.F.R. §431.416(a).

Your CMS project officer, Robin Patrice Magwood, is available to address any questions you may have related to this correspondence. She can be reached at (410) 786-0130 or RobinMagwood1@cms.hhs.gov.

We look forward to continuing to partner with you and your staff on the Minnesota section 1115 demonstration and are available to provide technical assistance as you revise the state's application.

Sincerely,

A solid black rectangular box used to redact the signature of Kim Howell.

Kim Howell
Director
Division of State Demonstrations and Waivers

cc: Ruth Hughes, Associate Regional Administrator, CMS Chicago Region