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State/Territory Name: Guam

State Plan Amendment (SPA) #: 23-0004

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

July 12, 2023

Teresita Gumataotao, Administrator
Guam Medicaid Agency
Department of Public Health & Social Services
Bureau of Health Care Financing Administration
155 Hesler Place
Hagatna, GU 96910

Re: Guam State Plan Amendment (SPA) TN 23-0004

Dear Ms. Gumataotao:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) GU 23-0004. This amendment establishes compliance with the mandatory coverage and reimbursement of routine patient costs associated with participation in qualifying clinical trials under Sections 1905(a)(30) and 1905(gg) of the Social Security Act.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act. This letter is to inform you that Guam Medicaid SPA 23-0004 was approved on July 12, 2023, with an effective date of April 1, 2023.

If you have any questions, please contact Barbara B. Prehmus at (303) 844-7472 or via email at Barbara.Prehmus@cms.hhs.gov.

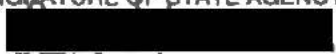
Sincerely,

Ruth
Hughes -S

Digitally signed by
Ruth Hughes -S
Date: 2023.07.12
20:42:19 -05'00'

Ruth A. Hughes, Acting Director
Division of Program Operations

Enclosure

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES		1. TRANSMITTAL NUMBER 23 0004	2. STATE Guam
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE April 1, 2023	
5. TYPE OF PLAN MATERIAL (Check One)			
<input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT			
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)			
6. FEDERAL STATUTE/REGULATION CITATION Section 1905(a)(30) and 1905(gg) of the Social Security Act		7. FEDERAL BUDGET IMPACT	
		a. FFY 2023 \$ 0	
		b. FFY 2024 \$ 0	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 3.1-A Page 44 of 44 (NEW)		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)	
10. SUBJECT OF AMENDMENT Coverage of Routine Patient Cost in Qualifying Clinical Trials			
11. GOVERNOR'S REVIEW (Check One)			
<input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL 		RETURN TO	
13. TYPED NAME Lourdes A. Leon Guerrero		Department of Health & Social Services Bureau of Health Care Financing Administration 155 Hesler Place Hagatna, GU 96910	
14. TITLE Governor of Guam			
15. DATE SUBMITTED 05/04/2023			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED May 4, 2023		18. DATE APPROVED July 12, 2023	
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL April 1, 2023		20. SIGNATURE OF REGIONAL OFFICIAL Ruth Hughes -S <small>Digitally signed by Ruth Hughes -S Date: 2023.07.12 20:42:53 -05'00'</small>	
21. TYPED NAME Ruth A. Hughes		22. TITLE Acting Director, Division of Program Operations	
23. REMARKS Authorization for Pen & Ink change received via email 7/5/23 to add submitted date to Box 15.			

State/Territory: GUAM

AMOUNT, DURATION, AND SCOPE OF MEDICAL, REMEDIAL CARE AND SERVICES
PROVIDED TO THE CATEGORICALLY NEEDY

24. Coverage of Routine Patient Cost in Qualifying Clinical Trials

General Assurances: X

Routine Patient Cost – Section 1905(gg)(1)

X Coverage of routine patient cost for items and services as defined in section 1905(gg)(1) that are furnished in connection with participation in a qualified clinical trial.

Qualifying Clinical Trial – Section 1905(gg)(2)

X A qualified clinical trial is a clinical trial that meets the definition at section 1905(gg)(2).

Coverage Determination – Section 1905(gg)(3)

X A determination with respect to coverage for an individual participating in a qualified clinical trial will be made in accordance with section 1905(gg)(3).

PRA Disclosure Statement - This information is being collected to assist the Centers for Medicare & Medicaid Services in implementing Section 210 of the Consolidated Appropriations Act of 2021 amending section 1905(a) of the Social Security Act (the Act), by adding a new mandatory benefit at section 1905(a)(30). Section 210 mandates coverage of routine patient services and costs furnished in connection with participation by Medicaid beneficiaries in qualifying clinical trials effective January 1, 2022. Section 210 also amended sections 1902(a)(10)(A) and 1937(b)(5) of the Act to make coverage of this new benefit mandatory under the state plan and any benchmark or benchmark equivalent coverage (also referred to as alternative benefit plans, or ABPs). Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. The OMB control number for this project is 0938-1148 (CMS-10398 #74). Public burden for all of the collection of information requirements under this control number is estimated to take about 56 hours per response. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to CMS, 7500 Security Boulevard, Attn: Paperwork Reduction Act Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

TN No.: 23-0004 Approval Date: July 12, 2023 Effective Date: April 1, 2023
Supersedes TN: NEW