



# All-State Medicaid & CHIP Call

June 23, 2020





# Agenda

- Welcome and Introduction – Calder Lynch
- Retaining CHIP State Plan Flexibilities Adopted During the Public Health Emergency *After the Emergency Ends*
- Discussion / Questions and Answers on CHIP SPA Flexibilities
- Value Based Purchasing / Drug Utilization Review NPRM
- Questions and Answers on NPRM
- General Q&A
- Wrap-up

# Introduction



**Calder Lynch**  
**Deputy Administrator and Director**  
**Center for Medicaid & CHIP Services**

# CHIP State Plan Flexibilities

## **Retaining CHIP State Plan Flexibilities Adopted During the Public Health Emergency After the Emergency Ends**

# When is Public Notice Required for **CHIP** State Plan Amendments?

Public notice is only required for CHIP SPAs that restrict eligibility or benefits under 42 CFR 457.65. Public notice must be published before the effective date of the SPA.

States should review the relevant regulations for a full description of the public notice requirements.

# Tribal Consultation & Other Reminders

## **Tribal Consultation Requirements**

- States in which one or more Indian health programs or urban Indian organizations that furnish health care services must conduct tribal consultation prior to the submission of any state plan amendments likely to have a direct effect on Indians, Indian health programs, or urban Indian organizations in accordance with the state's tribal consultation policy, as described in its approved state plan, per section 1902(a)(73) and 2107(e)(1)(F) of the Act.

## **Duration of Flexibilities**

- With proper tribal consultation, states can have the authority to continue their COVID-19 related flexibilities to the end of a state-declared PHE.

# Effective Date of CHIP State Plan Amendments

In accordance with 42 CFR 457.65, States must submit non-restrictive SPAs by the end of the state fiscal year in which they become effective.

- For example, in a state with a fiscal year that ends on June 30, the state would need to submit a SPA by June 30, 2021 for a policy that goes into effect on August 1, 2020.

SPAs that eliminate or restrict eligibility or benefits, including cost-sharing increases, may not be in effect longer than a 60-day period prior to SPA submission.

- For example, if a state submits a restrictive SPA on June 1, 2020, the SPA cannot be in effect before April 1, 2020.



# Retaining **CHIP** State Plan Flexibilities Adopted During the Public Health Emergency – **Eligibility**

Category	Provision	CHIP SPA Page/Template to be Submitted	SPA Submission Pathway (MACPRo, MMDL, Paper/ SPA mailbox)	Public Notice Requirements  Yes / No Requirement
<b>CHIP eligibility</b>	Extend the Reasonable Opportunity Period	Section 4.3	CHIP SPA mailbox	No
	Suspend waiting period	Section 8.7 (if permanently changing, CS20)	CHIP SPA mailbox (if permanently changing, MMDL)	No
	Presumptive Eligibility	Section 4.3 (if permanently changing, CS28)	CHIP SPA mailbox (if permanently changing, MMDL)	No
	Continuous Eligibility	Section 4.3 (if permanently changing, CS27)	CHIP SPA mailbox (if permanently changing, MMDL)	No
	Changes in circumstance	Section 4.3	CHIP SPA mailbox	No



# Retaining **CHIP** State Plan Flexibilities Adopted During the Public Health Emergency – **Premiums and Cost-Sharing**

Category	Provision	CHIP SPA Page/Template to be Submitted	SPA Submission Pathway (MACPRo, MMDL, Paper/ SPA mailbox)	Public Notice Requirements  Yes / No Requirement
CHIP premiums and cost sharing	Suspend both premiums and cost sharing	Section 8.2	CHIP SPA mailbox	No
	Suspend premiums only	Section 8.2.1	CHIP SPA mailbox	No
	Suspend cost sharing only	Section 8.2.3	CHIP SPA mailbox	No
	Waive the premium lock-out period	Section 8.7 (if permanently changing, CS21)	CHIP SPA mailbox (if permanently changing, MMDL)	No
	Extend premium deadlines	Section 8.2.1 or 8.7	CHIP SPA mailbox	No

# Retaining **CHIP** State Plan Flexibilities Adopted During the PHE – **Benefits**

Category	Provision	CHIP SPA Page/Template to be Submitted	SPA Submission Pathway (MACPRo, MMDL, Paper/ SPA mailbox)	Public Notice Requirements  Yes / No Requirement
CHIP benefits	Add additional benefits	Section 6	CHIP SPA mailbox	No

# Discussion

## Questions & Answers

## **Value Based Purchasing / Drug Utilization Review NPRM**

## **NPRM Questions & Answers**



# Discussion

## **General Questions & Answers**