

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



**Center for Medicaid and CHIP Services**  
Disabled and Elderly Health Programs Group

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May 10, 2013

Toby Douglas, Director  
Department of Health Care Services  
Attn: State Plan Coordinator  
1501 Capitol Avenue, MS 4506  
P.O. Box 997413  
Sacramento, CA 95899-7413

Dear Mr. Douglas:

We have reviewed California's State Plan Amendment (SPA) 13-001, received in the Regional Office on March 8, 2013. This amendment proposes to exclude from coverage benzodiazepines for all conditions and barbiturates for the treatment of epilepsy, cancer, or a chronic mental disorders for full benefit dual eligible beneficiaries as Medicare Part D will provide this coverage.

Based on the information provided, we are pleased to inform you that consistent with the regulations at 42 CFR 430.20, the SPA is approved, with an effective date of January 1, 2013. A copy of the CMS-179 form, as well as, the pages approved for incorporation into the California state plan, will be forwarded by the San Francisco Regional Office.

If you have any questions regarding this amendment, please contact Delaine Deardorff-Beck at (410) 786-2991.

Sincerely,

/s/

Larry Reed  
Director  
Division of Pharmacy

cc: Gloria Nagle, ARA, San Francisco Regional Office  
Tyler Sadwith, San Francisco Regional Office

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
San Francisco Regional Office  
90 Seventh Street, Suite 5-300 (5W)  
San Francisco, CA 94103-6706



**DIVISION OF MEDICAID & CHILDREN'S HEALTH OPERATIONS**

MAY 10 2013

Toby Douglas, Director  
California Department of Health Care Services  
P.O. Box 997413, MS 0000  
Sacramento, CA 95899-7413

Dear Mr. Douglas:

Enclosed is an approved copy of California State Plan Amendment (SPA) 13-001. SPA 13-001 was submitted to my office on March 8, 2013 to comply with the Medicare Improvements for Patients and Providers Act (MIPPA) of 2008, which added barbiturates used in the treatment of epilepsy, cancer and chronic mental health disorders and benzodiazepines as categories of drugs Part D plans must cover as of January 1, 2013. This amendment excludes from coverage benzodiazepines for all conditions and barbiturates for those conditions for full benefit dual eligible beneficiaries.

The effective date of this SPA is January 1, 2013. Enclosed are the following approved SPA pages that should be incorporated into your approved State Plan:

- Attachment 3.1.A.1, page 3
- Attachment 3.1.B.1, page 3

Enclosed are the additional following documents:

- HCFA Form 179, signed with pen and ink changes
- Approval letter from CMS' Division of Pharmacy

If you have any questions, please contact Tyler Sadwith by phone at (415) 744-3563 or by email at [Tyler.Sadwith@cms.hhs.gov](mailto:Tyler.Sadwith@cms.hhs.gov).

Sincerely,

/s/

Gloria Nagle, Ph.D., MPA  
Associate Regional Administrator  
Division of Medicaid & Children's Health Operations