

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
JFK Federal Building, Government Center  
Room 2275  
Boston, Massachusetts 02203



CENTERS for MEDICARE & MEDICAID SERVICES

**Division of Medicaid and Children's Health Operations/Boston Regional Office**

June 23, 2011

Mary Mayhew, Commissioner  
Department of Health and Human Services  
11 State House Station  
Augusta, Maine 04333-0011

Dear Commissioner Mayhew:

We are now ready to approve State Plan Amendment (SPA) No. 11-004; attached you will find an approved copy of the SPA. This SPA is effective June 1, 2011 as requested.

This SPA transmitted an amendment to your approved Title XIX State Plan regarding the Medicaid payment provision (Section 6505) of the Affordable Care Act of 2010 entitled *Prohibition on Payments to Institutions or Entities Located Outside of the United States*. This SPA was made at the request of CMS to ensure that the Maine State Plan implemented and adopted the following required language: "the State shall not provide any payments for items or services provided under the State plan or under a waiver to any financial institution or entity located outside of the United States."

If there are any questions, please contact Kathryn Holt at 617/565-1246 or via email at [kathryn.holt@cms.hhs.gov](mailto:kathryn.holt@cms.hhs.gov).


Sincerely,

/s/

Richard R. McGreal  
Associate Regional Administrator

Enclosures

cc: Stefanie Nadeau, Director, Office of Maine Care Services

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL</b> FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES		1. TRANSMITTAL NUMBER: _11-004	2. STATE: MAINE
		3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE AND MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE(S)  6/01/11	
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 1902(A)(80), SOCIAL SECURITY ACT, P.L. 111-148 (ACA SECTION 6505)		7. FEDERAL BUDGET IMPACT: a. FFY <u>4011</u> \$ 0 b. FFY <u>4112</u> \$ 0	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: PAGE 1		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): N/A	
SUBJECT OF AMENDMENT: MEDICAID PROHIBITION ON PAYMENTS TO INSTITUTIONS OR ENTITIES LOCATED OUTSIDE OF THE UNITED STATES			
11. GOVERNOR'S REVIEW (Check One): <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input checked="" type="checkbox"/> OTHER, AS SPECIFIED <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED      COMMISSIONER, DEPT. OF HUMAN SERVICES <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12.		16. RETURN TO:  PATRICIA DUSHUTTLE  Director, Policy Division, Office of MaineCare Services #11 State House Station 442 CIVIC CENTER DRIVE Augusta, ME 04333-0011	
13. TYPED NAME: MARY C. MAYHEW			
14. TITLE: Commissioner, Maine Department of Health and Human Services			
15. DATE SUBMITTED: MAY 30, 2011			
FOR REGIONAL OFFICE USE ONLY			
17. DATE RECEIVED: May 10, 2011		18. DATE APPROVED: June 23, 2011	
PLAN APPROVED - ONE COPY ATTACHED			
19. EFFECTIVE DATE OF APPROVED MATERIAL: June 1, 2011		20. SIGNATURE OF REGIONAL OFFICIAL: 	
21. TYPED NAME: Richard McGreal		22. TITLE: Associate Regional Administrator	
23. REMARKS: Please note that the State submitted this SPA originally on May 10, 2011; the State submitted requested corrections to the 179 on May 30, 2011 (See Section 15). This inconsistency does not alter the approvability or effect of this SPA.			

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: MAINE

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SECTION 4-GENERAL PROGRAM ADMINISTRATION

4.44 Medicaid Prohibition on Payments to Institutions or Entities Located Outside of the United States

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Citation

Section 1902(a)(80) of the Social Security Act, P.L. 111-148 (Section 6505)

X The State shall not provide any payments for items or services provided under the State plan or under a waiver to any financial institution or entity located outside of the United States.

TN No. 11-004

Supersedes

TN No. N/A

Approval Date: 06/23/2011 Effective Date: 6/1/11