
Table of Contents

State/Territory Name: South Dakota

State Plan Amendment (SPA) #: SD-17-0002

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
Denver Regional Office
1961 Stout Street, Room 08-148
Denver, CO 80294



REGION VIII - DENVER

August 15, 2017

Lynne Valenti, Secretary
South Dakota Department of Social Services
Richard F. Kneip Building
700 Governors Drive
Pierre, SD 57501-2291

RE: South Dakota #17-0002

Dear Ms. Valenti:

CMS has reviewed the proposed State Plan Amendment (SPA) submitted under transmittal number (TN) 17-002 and approved as SD-17-0002. This revised approval package is being issued as the original version, issued on August 11, 2017, was incomplete. This amendment updates the list of divisions in the South Dakota Department of Human Services and the list of cooperative agreements between the Department of Social Services and the health and vocational rehabilitation agencies.

Please be informed that this State Plan Amendment was approved August 11, 2017 with an effective date of July 1, 2017. We are enclosing the CMS-179 and the amended plan pages(s).

If you have any questions concerning this amendment, please contact Kirstin Michel at (303) 844-7036.

Sincerely,



Richard C. Allen
Associate Regional Administrator
Division of Medicaid & Children's Health Operations

cc: Brenda Tidball-Zeltinger
Snyder, William
Sarah Aker, South Dakota

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER: SD-17-002	2. STATE: South Dakota
	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 July 1, 2017	

5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN

AMENDMENT TO BE CONSIDERED AS NEW PLAN

AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION: 42 CFR 431.10, 42 CFR 431.11, and 42 CFR 431.615	7. FEDERAL BUDGET IMPACT: a. FFY 2017: \$ 0.00 b. FFY 2018: \$ 0.00
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Page 1 and 2 of Attachment 4.16-A and page A2	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Page 1 and 2 of Attachment 4.16-A and page A2

10. SUBJECT OF AMENDMENT:

This State Plan Amendment updates the list of divisions in the South Dakota Department of Human Services and updates the list of cooperative agreements between the Department of Social Services and the state's health and vocational rehabilitation agencies.


11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT


OTHER, AS SPECIFIED:

COMMENTS OF GOVERNOR'S OFFICE ENCLOSED

NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: DEPARTMENT OF SOCIAL SERVICES DIVISION OF MEDICAL SERVICES 700 GOVERNORS DRIVE PIERRE, SD 57501-2291
13. TYPED NAME: Lynne A. Valenti	
14. TITLE: Cabinet Secretary	
15. DATE SUBMITTED: June 30, 2017	

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED: June 30, 2017	18. DATE APPROVED: August 11, 2017
PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL: July 1, 2017	20. SIGNATURE OF REGIONAL OFFICIAL: 
21. TYPED NAME: Richard C. Allen	22. TITLE: ARA, DMCHO

23. REMARKS:

FORM CMS-179 (07-92)

State/Territory: SOUTH DAKOTA

COOPERATIVE ARRANGEMENTS WITH HEALTH AND VOCATIONAL REHABILITATION AGENCIES AND TITLE V GRANTEES

The South Dakota Department of Social Services maintains cooperative agreements with the State's health and vocational rehabilitation agencies. The agreements are to administer, or supervise the administration of, health care services and vocational rehabilitation services in order to make maximum and efficient use of these services. The department also has an agreement with Title V grantees under which the department, as the single state Medicaid agency, utilizes the Title V grantees to furnish services that are included in the State Plan.

All agreements meet the requirements of 42 CFR 431.615, as appropriate.

The following agreements are in place and active:

- An agreement between the Department of Social Services and the Department of Human Services to establish an effective working relationship between the two departments to administer the Medicaid program by the Department of Social Services and vocational rehabilitation programs by the Department of Human Services;
- An agreement between the Department of Social Services and the Department of Education to establish a framework for local education agencies to seek reimbursement for Medicaid eligible children receiving a medically necessary covered services and to outline the coordination between the agencies;
- An agreement between the Department of Social Services and the Department of Health to promote high quality health care and services for medical assistance recipients;
- An agreement between the Department of Social Services and the Department of Health setting forth the terms and conditions under which Department of Health may obtain and use Medicaid claims data obtained from Department of Social Services on HIV/AIDS cases to evaluate HIV/AIDS cases;
- An agreement between the Department of Social Services and the Department of Human Services defining the administrative responsibilities and fiscal responsibilities of both agencies in regard to administrative oversight and operation of home and community based services waivers under 1915(c) of the Act;
- An agreement between the Department of Social Services and the Department of Health for At-Risk Pregnancy Administrative Case Management services for Medicaid members. The agreement defines the services as coordination, integration, and management activities, including ongoing communication with patients, primary care

physicians, by a licensed nurse for at risk pregnancy patients' medical care and related administration;

- A memorandum of understanding and agreement between divisions of the Department of Education, divisions of the Department of Human Services, the Department of Labor, and the Department of Social Services establishing common philosophies, goals, and policies as a framework for addressing interagency transition planning at the local level to ensure that youth with disabilities have access to services and resources needed to enter adult life and the world of work successfully;
- An agreement between the Department of Social Services and the Department of Health to: develop survey questions related to the Children's Health Insurance Program as needed; incorporate the questions into a full year of the Department of Health's Behavioral Risk Factor Surveillance System, conduct a survey, and compile results; and
- An agreement between the Departments of Social Services, Health, Human Services, and Education describing the departments' roles in informing Head Start and Early Head Start families about Medicaid and EPSDT services.



Medicaid Administration

State Name:

OMB Control Number: 0938-1148

Transmittal Number: SD - 17 - 0002

State Plan Administration Designation and Authority	A1
--	-----------

42 CFR 431.10

Designation and Authority

State Name:

As a condition for receipt of Federal funds under title XIX of the Social Security Act, the single state agency named below submits the following state plan for the medical assistance program, and hereby agrees to administer the program in accordance with the provisions of this state plan, the requirements of titles XI and XIX of the Act, and all applicable Federal regulations and other official issuances of the Department.

Name of single state agency:

Type of Agency:

- Title IV-A Agency
- Health
- Human Resources
- Other

The above named agency is the single state agency designated to administer or supervise the administration of the Medicaid program under title XIX of the Social Security Act. (All references in this plan to "the Medicaid agency" mean the agency named as the single state agency.)

The state statutory citation for the legal authority under which the single state agency administers the state plan is:

The single state agency supervises the administration of the state plan by local political subdivisions.

Yes No

The certification signed by the state Attorney General identifying the single state agency and citing the legal authority under which it administers or supervises administration of the program has been provided.

An attachment is submitted.

The state plan may be administered solely by the single state agency, or some portions may be administered by other agencies.

The single state agency administers the entire state plan under title XIX (i.e., no other agency or organization administers any portion of it).

Yes No

The entity or entities that have responsibility for determinations of eligibility for families, adults, and for individuals under 21 are:



Medicaid Administration

- The Medicaid agency
- Single state agency under Title IV-A (in the 50 states or the District of Columbia) or under Title I or XVI (AABD) in Guam, Puerto Rico, or the Virgin Islands
- An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act

The entity that has responsibility for determinations of eligibility for the aged, blind, and disabled are:

- The Medicaid agency
- Single state agency under Title IV-A (in the 50 states or the District of Columbia) or under Title I or XVI (AABD) in Guam, Puerto Rico, or the Virgin Islands
- An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act
- The Federal agency administering the SSI program

Indicate which agency determines eligibility for any groups whose eligibility is not determined by the Federal agency:

- Medicaid agency
- Title IV-A agency
- An Exchange

The entity or entities that have responsibility for conducting fair hearings with respect to denials of eligibility based on the applicable modified adjusted gross income standard are:

- Medicaid agency
- An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act
- An Exchange appeals entity, including an entity established under section 1411(f) of the Affordable Care Act

State Plan Administration Organization and Administration

A2

42 CFR 431.10
42 CFR 431.11

Organization and Administration

Provide a description of the organization and functions of the Medicaid agency.

The Department of Social Services (DSS) is comprised of divisions that provide programs, services, and financial and medical assistance to eligible South Dakotans with the goal of fostering independent and healthy families. DSS also ensures children, the elderly, and individuals with disabilities are safe from abuse and neglect.

The Department of Social Services is the single state agency responsible for administering the Medicaid program. Within DSS, the Division of Medical Services (DMS) oversees the Medicaid program. The Division of Medical Services enrolls medical assistance providers, determines how providers will be reimbursed for services provided under the State Plan, operates a system for processing claims, maintains control mechanisms to minimize improper payments resulting from unintended errors as well as fraud and abuse, issues policies, rules and regulations on program matters, maintains a system for resolving grievances by applicants, recipients, and providers, and collects and reports required program information. The Division of Medical Services works closely with the Division of Economic Assistance (EA) to provide statewide eligibility determinations to South Dakotans eligible for medical assistance under the State Plan. The Division of Economic Assistance is responsible for eligibility determinations for the SNAP,



Medicaid Administration

TANF, Energy Assistance, CHIP and Medicaid programs in the state of South Dakota. The South Dakota Department of Social Services, Office of Administrative Hearings, is the impartial and external entity that conducts all Medicaid fair hearings.

Upload an organizational chart of the Medicaid agency.

An attachment is submitted.

Provide a description of the structure of the state's executive branch which includes how the Medicaid agency fits in with other health, human service and public assistance agencies.

The Executive Branch includes eight elected officials, the lieutenant governor, and the governor. The governor is the chief executive officer of the State of South Dakota. The governor has decision-making authority over the bureaus and the state's seventeen departments that compose the cabinet. The cabinet meets regularly. The Department of Social Services is the state's sole Medicaid agency, and includes other public assistance programs. South Dakota's other health and human service agencies are the Department of Health and the Department of Human Services.

The South Dakota Department of Health (DOH) delivers wide range of public health services to prevent disease, promote health and ensure access to needed, high-quality health care. DOH administers a wide range of programs, including but not limited to South Dakota's WIC Program, Baby Care Program, All Women Count! Program, and the Tobacco Control Program.

The South Dakota Department of Human Services (DHS) promotes the highest level of independence for all individuals regardless of disability or disorder. DHS includes but is not limited to the following Divisions and Facilities: Long Term Services and Supports, Rehabilitation Services, Services to the Blind and Visually Impaired, and the South Dakota Developmental Center.

Entities that determine eligibility other than the Medicaid Agency (if entities are described under Designation and Authority)

Remove

Type of entity that determines eligibility:

- Single state agency under Title IV-A (in the 50 states or the District of Columbia) or under Title I or XVI (AABD) in Guam, Puerto Rico, or the Virgin Islands
- An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act
- The Federal agency administering the SSI program

Provide a description of the staff designated by the entity and the functions they perform in carrying out their responsibility.

Pursuant to a 1634 agreement, the Social Security Administration determines Medicaid eligibility for Supplemental Security Income recipients.

Add

Entities that conduct fair hearings other than the Medicaid Agency (if are described under Designation and Authority)

Remove

Type of entity that conducts fair hearings:

- An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act
- An Exchange appeals entity, including an entity established under section 1411(f) of the Affordable Care Act

Provide a description of the staff designated by the entity and the functions they perform in carrying out their responsibility.



Medicaid Administration

<input type="text"/>		<input type="button" value="Add"/>
Supervision of state plan administration by local political subdivisions (if described under Designation and Authority)		
Is the supervision of the administration done through a state-wide agency which uses local political subdivisions?		
<input type="radio"/> Yes <input type="radio"/> No		
State Plan Administration Assurances		A3
42 CFR 431.10 42 CFR 431.12 42 CFR 431.50		
Assurances		
<input checked="" type="checkbox"/> The state plan is in operation on a statewide basis, in accordance with all the requirements of 42 CFR 431.50.		
<input checked="" type="checkbox"/> All requirements of 42 CFR 431.10 are met.		
<input checked="" type="checkbox"/> There is a Medical Care Advisory Committee to the agency director on health and medical services established in accordance with meeting all the requirements of 42 CFR 431.12.		
<input checked="" type="checkbox"/> The Medicaid agency does not delegate, to other than its own officials, the authority to supervise the plan or to develop or issue policies, rules, and regulations on program matters.		
Assurance for states that have delegated authority to determine eligibility:		
<input type="checkbox"/> There is a written agreement between the Medicaid agency and the Exchange or any other state or local agency that has been delegated authority to determine eligibility for Medicaid eligibility in compliance with 42 CFR 431.10(d).		
Assurances for states that have delegated authority to conduct fair hearings:		
<input type="checkbox"/> There is a written agreement between the Medicaid agency and the Exchange or Exchange appeals entity that has been delegated authority to conduct Medicaid fair hearings in compliance with 42 CFR 431.10(d).		
<input type="checkbox"/> When authority is delegated to the Exchange or an Exchange appeals entity, individuals who have requested a fair hearing are given the option to have their fair hearing conducted instead by the Medicaid agency.		
Assurance for states that have delegated authority to determine eligibility and/or to conduct fair hearings:		
<input checked="" type="checkbox"/> The Medicaid agency does not delegate authority to make eligibility determinations or to conduct fair hearings to entities other than government agencies which maintain personnel standards on a merit basis.		

PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

V.20160722