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State Name: Virginia

State Plan Amendment (SPA) #: 16-015

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 Page

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
150 S. Independence Mall West
Suite 216, The Public Ledger Building
Philadelphia, Pennsylvania 19106-3499



Region III/Division of Medicaid and Children's Health Operations

SWIFT #121620164049

January 10, 2017

Cynthia B. Jones, Director
Department of Medical Assistance Services
600 East Broad Street, Suite 1300
Richmond, VA 23219

Dear Ms. Jones:

The Centers for Medicare & Medicaid Services (CMS) has reviewed Virginia's State Plan Amendment (SPA) 16-015, Reconsideration of Final Agency Decision. This SPA proposes to establish a reconsideration process by which appellants can petition the Virginia Medicaid Agency's Director to reconsider the Department of Medical Assistance Services' (DMAS) Final Agency Decision. The SPA indicates that the DMAS Director's review shall be made upon the case record of the formal appeal. Testimony or documentary submissions that were not part of the formal appeal case record prior to the issuance of the Final Agency Decision shall not be considered.

This SPA is acceptable. Therefore, we are approving SPA 16-015 with an effective date of December 1, 2016. Enclosed are the approved SPA page and a copy of the signed Form CMS-179.

If you have any questions about this SPA, please contact Margaret Kosherzenko of my staff at 215-861-4288.

Sincerely,

Francis T.

Mccullough -S

Francis McCullough

Associate Regional Administrator

Digitally signed by
Francis T. Mccullough -S
Date: 2017.01.10
17:04:48 -05'00'

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER
1 6 - 0 1 5

2. STATE
Virginia

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
December 1, 2016

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 Part 430

7. FEDERAL BUDGET IMPACT
a. FFY 2016 \$ -0-
b. FFY 2017 \$ -0-

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT
Attach. 7.5, page 6 - new page
7

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)
Same page

Per final Ed
12/15/16

10. SUBJECT OF AMENDMENT
Reconsideration of Final Agency Decision

11. GOVERNOR'S REVIEW (Check One)
 GOVERNOR'S OFFICE REPORTED NO COMMENT²⁰¹⁶
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL
 OTHER, AS SPECIFIED
Secretary of Health and Human Resources

12. SIGNATURE OF STATE AGENCY OFFICIAL
/S/ [Redacted]

13. TYPED NAME
Cynthia B. Jones

14. TITLE
Director

15. DATE SUBMITTED
12/8/16

16. RETURN TO
Dept. of Medical Assistance Services
600 East Broad Street, #1300
Richmond VA 23219
Attn: Regulatory Coordinator

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED
December 15, 2016

18. DATE APPROVED
January 10, 2017

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL
December 1, 2016

20. SIGNATURE OF REGIONAL OFFICIAL
/S/

21. TYPED NAME
Francis McCullough

22. TITLE
Associate Regional Administrator

23. REMARKS

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

INFORMAL AND FORMAL PROVIDER APPEALS

- H. Reconsideration of Final Agency Decision. (12VAC30-20-570)
1. Reconsiderations of Final Agency Decisions shall be conducted in accordance with §2.2-4023.1 of the Code of Virginia.
 2. The DMAS Director's review shall be made upon the case record of the formal appeal. Testimony or documentary submissions that were not part of the formal appeal case record prior to issuance of the final agency decision shall not be considered.