



Center for Medicaid and CHIP Services

CMCS Informational Bulletin

DATE: April 27, 2012

FROM: Cindy Mann, Director
Center for Medicaid and CHIP Services (CMCS)

SUBJECT: Affordable Care Act Section 1115 Demonstration Transparency Rules

We are pleased to announce the official launch today of the Center for Medicaid and CHIP Services' approach to ensuring transparency in all aspects of the review and approval process for Medicaid/CHIP section 1115 demonstrations. As you know, section 10201(i) of the Affordable Care Act included new requirements related to providing opportunities for feedback into the review and approval process for States' section 1115 demonstration application. CMS issued a final rule implementing these provisions on February 27, 2012, which becomes effective today.

In order to provide operational guidance to assist States in implementing these rules, we released a letter to State Health Officials today to provide further guidance about the revised review and approval process for section 1115 demonstrations. The letter reviews the key provisions of the regulation and provides additional guidance with respect to amendments to ongoing demonstration projects. The letter is available on the Medicaid.gov website at <http://www.medicare.gov/Federal-Policy-Guidance/Downloads/SHO-12-001.pdf>.

In addition to the letter, we are making available a "user guide" for stakeholder organizations interested in participating in the enhanced public notice and comment process required under the final rules. The user guide is designed to assist interested parties in navigating the new section of the Medicaid.gov website where information about approved as well as pending section 1115 demonstrations is available for review. In addition, the user guide provides information about how to access the public comment feature for pending demonstration applications and amendment requests. Interested stakeholders can get connected to the Idea Factory, CMS' tool for providing feedback on demonstration requests. The user guide is available at <http://www.medicare.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/1115/downloads/section-1115-user-guide.pdf>.

CMS will post State applications and requests on the website, and the site will enable the public to submit comments on a specific application or request. Medicaid.gov will also enable the public to sign up for CMS's electronic mailing list serve which will notify interested parties when a new public comment period has begun.

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We encourage interested parties to visit the new section on the Medicaid.gov website at <http://medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/1115/public-comments.html>, which will be used to implement the Federal requirements included in the final transparency rule. We will post all demonstration applications, extension requests, and amendment requests for the public to review and provide feedback through the tool described above.

We hope this information will be helpful and we look forward to your feedback. Questions and comments regarding this new approach may be directed to Jessica Schubel, Division of State Demonstrations and Waivers, Children and Adults Health Programs Group, CMCS, at jessica.schubel@cms.hhs.gov.