

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
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## **Center for Medicaid and CHIP Services**

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### ***CMCS Informational Bulletin***

**DATE:** January 17, 2012

**FROM:** Cindy Mann, Director  
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**SUBJECT: Medicaid and CHIP Updates**

This Informational Bulletin is meant to update States and other interested parties on two items:

- Publication of the Medicaid DSH Payments NPRM (CMS-2315-P)
- Discontinuance of Primatene Mist as of December 31, 2011

### **Medicaid DSH Payments NPRM (CMS-2315-P)**

Tomorrow a Notice of Proposed Rulemaking titled “Medicaid Disproportionate Share Hospital (DSH) Payments” (CMS-2315-P) will be published in the Federal Register ([www.federalregister.gov](http://www.federalregister.gov).) The NPRM went on display Friday, January 13 and is available online at [http://www.ofr.gov/OFRUpload/OFRData/2012-00734\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2012-00734_PI.pdf).

The DSH program provides funding through States to qualifying hospitals who serve a large number of Medicaid and uninsured individuals. This proposed rule will define “uninsured” for purposes of calculating the Medicaid hospital-specific DSH payment limit. The proposed rule will be open for public comment through February 17, 2012. Please refer to the Federal Register publication tomorrow for instructions about how to submit comments.

### **Discontinuance of Primatene Mist as of December 31, 2011**

The Federal Food and Drug Administration (FDA) recently announced that Primatene Mist will no longer be available after December 31, 2011 as part of the phase out of epinephrine inhalers containing chlorofluorocarbons (CFCs). Primatene Mist was the last over-the-counter (OTC) inhaler to treat symptoms of asthma. According to State data, Primatene Mist was not widely used among Medicaid beneficiaries, but States that covered Primatene Mist as an OTC under their State plans should review their coverage to assure that there is continued appropriate coverage of prescription asthma inhalers.

Beneficiaries who are evaluated by their health care providers and found to require symptomatic treatment for asthma have numerous prescription inhalers available as options.

For more information on this issue see the FDA's Consumer Update at:

<http://www.fda.gov/downloads/ForConsumers/ConsumerUpdates/UCM273117.pdf>.