

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-25-26
Baltimore, Maryland 21244-1850



State Demonstrations Group

March 8, 2024

Tom Wallace
Deputy Secretary for Health Care Finance and Data
Florida Agency for Health Care Administration
2727 Mahan Drive, Mail Stop 8
Tallahassee, FL 32308

Dear Deputy Secretary Wallace:

Thank you for your application for a new section 1115(a) demonstration, entitled “Children’s Health Insurance Program (CHIP) Eligibility Extension.” The Centers for Medicare & Medicaid Services (CMS) received Florida’s request on February 23, 2024. We have completed a preliminary review of your request in accordance with the transparency and public notice procedures specified in 42 CFR 431.412(a) and determined that the state's application does not meet certain requirements for a complete initial demonstration application.

The specific elements that are missing from the state's application that are needed in order for CMS to determine that the request is complete are outlined in the attached enclosure. At this time, CMS will not begin our 30-day federal public comment and notice process as specified under 42 CFR 431.416(b). After the state submits a revised demonstration application that includes the missing elements as described in the enclosure, CMS will conduct another review of the state’s submission to determine if the revised request is complete. The state is not required to repost the revised application for another state public comment period before resubmitting it to CMS.

We look forward to working with you and your staff and are available to provide technical assistance as you revise the state’s demonstration application. If you have any questions regarding this correspondence, please contact your CMS project officer, Ms. Jamie John, at Jamie.John@cms.hhs.gov.

Sincerely,

Angela D. Garner
Director
Division of System Reform Demonstrations

cc: Jason Weida, Secretary, Florida Agency for Health Care Administration
Austin Noll, Deputy Secretary for Medicaid Policy, Florida Agency for Health Care Administration
Kia Carter-Anderson, State Monitoring Lead, Medicaid and CHIP Operations Group

ENCLOSURE

Federal application procedures at 42 CFR 431.412(a)(1) specify the content required for a complete initial demonstration application and specify that the state must comply with the public notice process set forth in 42 CFR 431.408. In accordance with these requirements, below is a list of transparency procedures or application elements that are necessary for the submission of a "complete" section 1115 demonstration request which were not included in the state's section 1115 demonstration application:

1. In accordance with 42 CFR 431.408(a)(1)(i)(C) and 431.412(a)(1)(iii), the application must include the state's *historic* enrollment and expenditures for the demonstration period. The draft application posted for public notice and comment and the final application submitted to CMS had insufficient historic enrollment data, as the graph in the application only depicted historic enrollment for Healthy Kids, which is one component of Florida's KidCare (CHIP) program. The draft and final applications also did not include any historic expenditure data for the KidCare program. The state must provide historic enrollment and expenditure data for the entire KidCare program.
2. In accordance with 42 CFR 431.412(a)(1)(iv), the application must include the state's *current* enrollment data. The draft application posted for public notice and comment and the final application included enrollment data for the KidCare program as of January 2023. The state must provide current enrollment data for the KidCare program that was available at the time of application submission.
3. In accordance with 42 CFR 431.412(a)(1)(viii), the application must include a report of the issues raised by the public during the comment period and how the state considered these comments when developing the demonstration application. The summary of the public comments in the state's application is too broad and does not provide sufficient detail to understand the issues raised by the public. The state must provide a detailed description of the comments or submit all the comments received by the state to CMS.