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State Territory Name: UTAH

State Plan Amendment (SPA) #: 24-0009

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 AND HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, MD 21244-1850



Financial Management Group

July 18, 2024

Jennifer Strohecker, Medicaid Director
Department of Health and Human Services
288 North 1460 West
Salt Lake City, Utah 84116

RE: Utah State Plan Amendment (SPA) Transmittal Number 24-0009

Dear Director Strohecker:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid SPA submitted under transmittal number (TN) 24-0009. This SPA establishes an emergency interim payment methodology for certain providers affected by the Change Healthcare cybersecurity incident.

We conducted our review of your submittal according to the statutory requirements in Title I of the Social Security Act and considering the flexibilities described in the March 15, 2024 Change Healthcare Cybersecurity incident - CMS Response and State Flexibilities CMCS informational Bulletin (CIB). We hereby inform you that Medicaid State plan amendment 24-0009 is approved effective February 21, 2024. We are enclosing the CMS-179 and the amended plan pages.

If you have any questions, please contact Debi Benson at Deborah.Benson@cms.hhs.gov.

Sincerely,



Rory Howe
Director

Enclosure

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

1. TRANSMITTAL NUMBER

2 4 — 0 0 0 9

2. STATE

UTAH

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT

XIX XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

February 21, 2024

5. FEDERAL STATUTE/REGULATION CITATION

42 CFR 447.50 through 447.57

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2024 \$ 0
b. FFY 2025 \$ 0

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Introduction Page 2

Attachment 4.19-A page 1.5

Attachment 4.19-D page 1.5

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

Not applicable

9. SUBJECT OF AMENDMENT

Interim Payments to Providers

10. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME
Nate Checketts

13. TITLE
Deputy Director, Utah Dept of Health & Human Services

14. DATE SUBMITTED
April 24, 2024

15. RETURN TO

Craig Devashrayee
Utah Department of Health & Human Services
Division of Integrated Healthcare
cdevashrayee@utah.gov

FOR CMS USE ONLY

16. DATE RECEIVED
April 24, 2024

17. DATE APPROVED
July 18, 2024

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

February 21, 2024

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

Rory Howe

21. TITLE OF APPROVING OFFICIAL

Director, FMG

22. REMARKS

State approved pen and ink change

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

Effective retroactively to February 21, 2024, and effective for affected services provided through June 30, 2024, providers are eligible to receive payments for services in amounts representative of up to thirty days (30) of claims payments for services that are not otherwise paid as a result of the Change Healthcare cybersecurity incident. The average 30-day payment is based on the total claims for services paid to the individual provider, inclusive of all Medicaid base payments for services made under the Medicaid state plan, between August 1, 2023, and October 31, 2023, divided by three (3). The payment(s) will be made for services provided through June 30, 2024, as requested by providers for any benefit category covered by Utah under the Medicaid State Plan pursuant to sections 1905(a), 1915(i), and 1915(k) and for which the provider demonstrates to Utah that it was affected by the incident as detailed above. This is not an advance payment or prepayment prior to services furnished by providers. These interim payments will be recorded in the claims processing system using unique account coding elements and notes to separately identify them from regular claims. Once the state is able to process claims for impacted providers, the state will identify and reverse all interim payments using the unique coding elements and reimburse providers the appropriate amount based on billed claims. The reversal will be completed within 30 days following the last day of the quarter in which the state is able to again process payments for claims following the resolution of the Change Healthcare cybersecurity incident. The state will follow all applicable program integrity requirements relating to interim payments to providers and the associated reversal process. The state will ensure providers receiving payments under this interim methodology for services will continue to furnish services to Medicaid beneficiaries during the interim payment period and access to services is not limited.

Accountable care organizations (ACOs) will be reimbursed, outside the normal capitations, through June 30, 2024, for payments to pharmacies for services carved out of managed care which were covered using their funds as a result of the Change Healthcare cybersecurity incident. These will be reimbursed at the actual cost the ACOs incurred for these products.

Effective retroactively to February 21, 2024, and effective for affected pharmacy services provided until the resolution of the Change Healthcare cybersecurity incident, the state will not be enforcing the requirement that prescribers be known to the Medicaid system.

T.N. # 24-0009

Approval Date July 18, 2024

Supersedes T.N. # New

Effective Date 2-21-24

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: UTAH

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