

**SUPPORTING STATEMENT FOR TRANSMITTAL AND NOTICE
OF APPROVAL OF STATE PLAN MATERIAL AND SUPPORTING
REGULATIONS IN 42 CFR 430.10 - 430.20 AND 440.167
CMS-179**

A. BACKGROUND

The CMS-179 is used by state agencies to transmit state plan material to the Centers for Medicare & Medicaid Services (CMS) for approval prior to amending their state plan. The state plan is the method in which states inform staff of state policies, standards, procedures and instructions.

B. JUSTIFICATION

1. Need and Legal Basis

CMS is requesting a 3-year extension for the CMS-179, Transmittal and Notice of Approval of State Plan Material. The CMS-179 is currently approved under OMB # 0938-0193.

The CMS-179 is currently used by state agencies administering the Medicaid program and CMS regional offices (RO). State agencies use the form to submit state plan amendments (SPAs) (including supporting documentation) to the CMS RO for review and approval prior to amending their plan in accordance with 42 CFR §430.10 - 430.20. This plan amendment approval process is necessary to ensure the state plan continues to meet statutory and regulatory requirements and thereby ensure the state's eligibility for FFP.

2. Information Users

CMS will use the information to track the estimated Federal budget impact associated with SPAs. This information may result in more accurate Federal Medicaid expenditure estimates.

3. Improved Information Technology

The CMS-179 includes instructions for completing the form. The inclusion of instructions is to assist state agencies in completing the form, thereby ensuring a more uniform and timely plan amendment approval process.

4. Duplication

The CMS-179 is the only source available to state agencies for submittal/approval of SPAs. Approval of the form will provide states a vehicle for Federal budget impact reporting.

5. **Small Business**

There is no burden on small businesses.

6. **Less Frequent Collection**

If this information would be collected on a less frequent basis, CMS would not have the data necessary to comply with the law.

7. **Special Circumstances**

There are no special circumstances that will affect the collection of this information.

8. **Federal Register Notice/Prior Consultation**

A 60-day Federal Register Notice was published on 3/23/2007. There was no other outside consultation.

9. **Payment/Gift to Respondents**

There is no payment or gift to respondents.

10. **Confidentiality**

There is nothing confidential about this collection of information.

11. **Sensitive Questions**

There are no questions of a sensitive nature associated with this form.

12. **Burden Estimate**

We estimate that it will take 10 hours for a state to amend one state plan and each state would revise its plan once a year.

56 respondents (50 states, D.C. and 5 territories) X 10 hours = 560 hours
560 hours X \$15 per hour for state employee wage = \$8,400.

13. **Capital Costs**

There are no capital costs associated with this information collection.

14. **Costs to Federal Government**

None.

15. **Program/Burden Changes**

There are no program or burden changes.

16. **Publication and Tabulation Dates**

There are no plans to publish the collected information for statistical purposes.

17. **Expiration Date**

CMS does not oppose the display of the expiration date.

18. **Certification Statement**

There are no exceptions.

C. **COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

1. The use of statistical methods does not apply for purposes of this form.