

Supporting Statement for Paperwork Reduction Act
1932 State Plan Amendment Template
0938-0933 / CMS-10120

A. Background

The template outlines the information a state must include in its Medicaid state plan to ensure compliance with the statutory provisions of section 1932(a)(1)(A) and the regulations requirements of 42 CFR 438.50.

Section 1932(a)(1)(A) of the Social Security Act (the Act) grants states the authority to enroll Medicaid beneficiaries on a mandatory basis into managed care entities (managed care organization (MCOs) and primary care case managers (PCCMs)). Under this authority, a state can amend its Medicaid state plan to require certain categories of Medicaid beneficiaries to enroll in managed care entities without being out of compliance with provisions of section 1902 of the Act on statewideness (42 CFR 431.50), freedom of choice (42 CFR 431.51) or comparability (42 CFR 440.230). This template may be used by states to easily modify their state plans if they choose to implement the provisions of 1932(a)(1)(A).

B. Justification

1. Need and Legal Basis

Section 1901 of the Act (42 U.S.C. 1396) requires that states must establish a state plan for medical assistance that are approved by the Secretary to carry out the purpose of title XIX. The collection of information is defined in section 1932(a)(1)(A) of the Act and in 42 CFR 438.50.

2. Information Users

The State Medicaid Agencies will complete the template. CMS will review the information to determine if the state has met all the requirements of 1932(a)(1)(A) and 42 CFR 438.50. If the requirements are met, CMS will approve the amendment to the state's title XIX plan giving the state the authority to enroll Medicaid beneficiaries on a mandatory basis into managed care entities (managed care organization (MCOs) and primary care case managers (PCCMs)). For a state to receive Medicaid (title XIX) funding, there must be an approved title XIX state plan.

3. Improved Information Technology

This form is available in electronic format. We expect every submittal to be forwarded to our agency using the electronic format. The document is completed in a user friendly format.

4. Duplication of Similar Information

There is no duplication of similar information.

5. Small Businesses

This collection does not impact small businesses.

6. Less Frequent Collection

Once the amendment is approved, there is no need to resubmit unless changes are made to the program. Without this information, CMS cannot grant a state the authority to implement mandatory managed care programs in the absence of waiver authority. Since the model template outlines the information CMS needs for its initial review, requests for additional information should decrease.

7. Special Circumstances

There are no special circumstances or impediments. The model template is available in electronic format and will be posted on the CMS Internet web site.

8. Federal Register Notice/Outside Consultation

A 60-day Federal Register notice was published on August 31, 2007. CMS has also shared a draft version of this template with both the American Public Health Services Association and with states interested in pursuing a 1932 state plan.

The section 1932 state plan requirements were published in 42 CFR 438.50.

9. Payment/Gift To Respondent

There is no payment/gift to respondent.

10. Confidentiality

There is no personal identifying information collected in the document. All the information is available to the public.

11. Sensitive Questions

There are no questions of a sensitive nature.

12. Burden Estimate (Total Hours & Wages)

The template has 12 pages. We estimate that it will take no longer than 10 hours for a state to complete and submit the template to CMS. The potential number of respondents is 56 (50 states, D.C., and 5 territories); however, we estimate only 10 states will submit annually. Once approved, the state will only need to resubmit to amend the prior submission. We estimate it would take 3 hours per state to make an amendment.

To complete and submit the template it would cost a state no more than \$300 (\$30/hr. x 10 hrs). To make an amendment it would cost \$90 (\$30/hr x 3 hrs).

13. Capital Costs (Maintenance of Capital Costs)
There are no capital costs.
 14. Cost to Federal Government
There is no cost to the Federal Government.
 15. Program or Burden Changes
There are no program/burden changes.
 16. Publication and Tabulation Dates
There are no plans to publish the information for statistical use.
 17. Expiration Date
CMS does not oppose the display of the expiration date.
 18. Certification Statement
There are no exceptions to the certification statement.
- C. Collection of Information Employing Statistical Methods
The use of statistical methods does not apply to this form.