

# PUBLIC SUBMISSION

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**Docket:** CMS-2022-0004

(CMS-10398 #13) Medicaid Accountability – Nursing Facility, Outpatient Hospital and Inpatient Hospital Upper Payment Limits

**Comment On:** CMS-2022-0004-0001

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Medicaid and Children's Health Insurance Program

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## Submitter Information

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## General Comment

Proposed Attachments 3.1-A and 3.1-B for Item 30, Coverage of Routine Patient Cost in Qualifying Clinical Trials, direct the State to check three separate assurances to attest that the State complies with Sections 1905(gg)(1), 1905(gg)(2), and 1905(gg)(3) of the Social Security Act. Because compliance is not optional, none of the assurances can be left unmarked.

The act of submitting the necessary State Plan Amendment and incorporating the Attachment(s) into the State Plan serves as the attestation. Placing a check mark next to each assurance in addition to checking the 'Provided' field is redundant.