

Response to Public Comments  
Eligibility Processing Data Report and Renewal Compliance Template  
(CMS-10434 #66 and OMB 0938-1188, tentative)

It is critical that states ensure their compliance with all federal renewal requirements to help individuals eligible for Medicaid or CHIP successfully renew their coverage. To confirm compliance with these regulations, CMS developed a template for states to indicate their current compliance status with renewal regulations, describe policies and processes, and identify planned mitigations for any identified deficiencies. CMS received one comment from consumer advocacy organizations during public review of this renewal compliance template. The commenters supported the use of the standardized template for confirming state compliance with federal renewal requirements and recommended that CMS provide additional details on requirements and information requested for the best compliance outcomes.

Comments: The National Health Law Program, Georgetown Center for Children and Families, and Center on Budget and Policy Priorities submitted a joint letter with comments on the Compliance Template to ensure state compliance with federal renewal requirements. This letter supports the use of the template and noted that the template contains essential information to ensure that states conduct a full assessment of compliance, submit documentary evidence supporting their statements, and fully document actions, timelines, and mitigation strategies for areas of non-compliance. The letter suggested that supporting guidance released by CMS define specific terms in the template to ensure a common understanding of the rules. These commenters also noted that compliance deficiencies could be identified outside of what is captured in the template and that states should be aware that the template alone is not a full assessment of a state's compliance with current renewal requirements.

CMS Response: As noted by the commenters, CMS intends to release additional guidance to provide clarity on renewal requirements that will be evaluated for compliance, as well as to provide additional information on the evidence of compliance that states should submit along with their template. CMS believes this additional guidance will address the concern raised in the letter and give states the information needed to accurately complete the renewal compliance template. This ensures that information collected on compliance deficiencies in states remains consistent across requirements. CMS has also provided space in the template for states to share any additional information. We recognize that states must also comply with other critical requirements outside of federal regulations at 42 CFR 435.916 and 457.343 to ensure successful renewals and support retention of eligible individuals and is developing additional resources to ensure compliance in these areas as well.

Action(s) Taken: Through the development of additional guidance that will be released prior to the completion of the renewal compliance template, CMS is ensuring that states have clear guidance for completing the template and confirming compliance with all renewal requirements.