

CMS Response to Public Comment on CMS-10398 #17 (OMB 0938-1148)

The information collection for CMS-10398 #17 (OMB 0938-1148) establishes a new Children's Health Insurance Program (CHIP) State Plan Eligibility template, CS22, and related implementation guidance for retroactive eligibility for children and/or pregnant women. The template is part of the CHIP State Plan and includes required eligibility attestations for the state to document state assurances/elections and verification processes as established through section 71112 of the Working Families Tax Cut (WFTC) legislation. The request for comment was published in the Federal Register on July 16, 2026, and the public comment period closed on July 31, 2026.

We received one comment about the eligibility template from a university student. CMS acknowledges the comment and does not recommend any updates to the eligibility template based on the comment.

Comment 1: The commenter expressed support for the revised information collection request to create a new CHIP Eligibility template. The commenter strongly supports providing retroactive CHIP eligibility for up to two months prior to application, arguing that it protects low-income families and pregnant women from medical debt incurred before formal coverage is established, while also ensuring providers can be reimbursed. They also support the state providing a reasonable opportunity period (ROP) of at least 90 days for documentation verification, emphasizing that this gives families sufficient time to gather necessary paperwork without risking immediate loss of coverage. Overall, the commenter urges CMS to approve these template requirements as a means of streamlining state administration while safeguarding essential protections for vulnerable populations.

CMS Response 1: CMS acknowledges and appreciates the commenter's support of the new CHIP eligibility template that has been established for states to elect the option to provide retroactive eligibility.

Action(s) Taken: CMS acknowledges this comment and does not recommend any updates to the information collection based on the comment.