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STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF MEDICAID SERVICES

Jeffrey A. Meyers
Commissioner

Henry D. Lipman
Director

129 PLEASANT STREET, CONCORD, NH 03301
603-271-9422 1-800-852-3345 Ext. 9422
Fax: 603-271-8431 TDD Access: 1-800-735-2964
www.dhhs.nh.gov

July 1, 2019

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, NH 03301

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

#1 – Pursuant to the provisions of RSA 14:30-a, VI, Additional Revenues, authorize the Department of Health and Human Services to accept and expend additional federal funds from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, in the amount of \$7,200,000 effective upon approval by the Fiscal Committee and Governor and Council through September 30, 2019, and further authorize the allocation of these funds in the account below. 100% Federal Funds

**05-95-47-470010-79480000, HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF
HHS: OFF. OF MEDICAID & BUS. POLICY, MEDICAID CARE MANAGEMENT**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
000-403978	Federal Funds	\$92,258,710	\$7,200,000	\$99,458,710
005-402201	Agency Income: Medicaid Enhancement - Local	\$40,114,666		\$40,114,666
007-407145	Agency Income Drug Rebates	\$4,500,000		\$4,500,000
009-406848	Agency Income MEAD	\$36,900		\$36,900
	General Fund	\$47,517,606		\$47,517,606
	Total Revenue	\$184,427,882	\$7,200,000	\$191,627,882
041-500801	Audit Set Aside	\$89,537	\$0	\$89,537
101-500729	Medical Payments to Providers	\$184,338,345	\$7,200,000	\$191,538,345
	Total Expense	\$184,427,882	\$7,200,000	\$191,627,882

#2 – Contingent upon approval of #1, pursuant to the provisions of RSA 9:16-a, Transfers Authorized authorize the Department of Health and Human Services, Division of Medicaid Services to transfer general funds in the amount of \$7,200,000 effective upon approval by the Fiscal Committee and Governor and Council through September 30, 2019, and further authorize the allocation of these funds in the accounts below. 100% General Funds

**05-95-47-470010-79480000, HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF
 HHS: OFF. OF MEDICAID & BUS. POLICY, MEDICAID CARE MANAGEMENT**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
000-403978	Federal Funds	\$99,458,710		\$99,458,710
005-402201	Agency Income: Medicaid Enhancement - Local	\$40,114,666		\$40,114,666
007-407145	Agency Income Drug Rebates	\$4,500,000		\$4,500,000
009-406848	Agency Income MEAD	\$36,900		\$36,900
	General Fund	\$47,517,606	(\$7,200,000)	\$40,317,606
	Total Revenue	\$191,627,882	(\$7,200,000)	\$184,427,882
041-500801	Audit Set Aside	\$89,537		\$89,537
101-500729	Medical Payments to Providers	\$191,538,345	(\$7,200,000)	\$184,338,345
	Total Expense	\$191,627,882	(\$7,200,000)	\$184,427,882

**05-95-47-470010-79390000 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF
 HHS: MEDICAID & BUS POLICY OFC, OFF. OF MEDICAID & BUS. POLICY STATE PHASE DOWN**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
	General Funds	\$10,601,919	\$783,204	\$11,385,123
	Total Revenue	\$10,601,919	\$783,204	\$11,385,123
503-500892	State Phase Down	\$10,601,919	\$783,204	\$11,385,123
	Total Expense	\$10,601,919	\$783,204	\$11,385,123

05-95-47-470010-34130000 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF
 HHS: MEDICAID & BUS POLICY OFC, OFF. OF MEDICAID & BUS. POLICY, CFI & NURSING HOME SVS

CLASS OBJ	CLASS TITLE	Current Authorized Budget	Requested Change	Adjusted Budget
000-404362	Federal Funds	\$50,838,861		\$50,838,861
005-403011	Local Nursing	\$28,731,248		\$28,731,248
005-403399	County ProShare	\$7,258,437		\$7,258,437
007-402241	Agency Income MQIP	\$10,039,247		\$10,039,247
	General Funds	\$4,724,652	\$165,120	\$4,889,772
	Total Revenue	\$101,592,445	\$165,120	\$101,757,565

CLASS OBJ	CLASS TITLE	Current Authorized Budget	Requested Change	Adjusted Budget
040-500800	Indirect Costs	\$32,098		\$32,098
041-500801	Audit Set Aside	\$53,170		\$53,170
101-500729	Medical Payments to Providers	\$2,311,445		\$2,311,445
504-500893	Nursing Home Payments	\$49,543,175		\$49,543,175
505-500894	Mid Level Care Svs	\$2,378,645		\$2,378,645
506-500895	Home Support Waiver Svs	\$9,272,386	\$165,120	\$9,437,506
509-500897	Other Nursing Services	\$1,170,290		\$1,170,290
514-500356	Proshare	\$14,516,874		\$14,516,874
516-500358	Medicaid Quality Incentive	\$20,078,495		\$20,078,495
529-500370	Home Health Care Waiver Svs	\$2,235,867		\$2,235,867
	Total Expense	\$101,592,445	\$165,120	\$101,757,565

05-95-045-450010-61530000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS:
 DIVISION OF FAMILY ASSISTANCE, SEPARATE STATE TANF PROGRAM

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
	Federal Funds			
	General Fund	\$10,000	\$48,000	\$58,000
	Total Revenue	\$10,000	\$48,000	\$58,000
501-500425	Payments to Clients	\$10,000	\$48,000	\$58,000
	Total Expense	\$10,000	\$48,000	\$58,000

**05-95-045-450010-61700000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS:
 DIVISION OF FAMILY ASSISTANCE, OAA GRANTS**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
	Federal Funds			
	General Fund	\$986,250	\$75,000	\$1,061,250
	Total Revenue	\$986,250	\$75,000	\$1,061,250
501-500425	Payments to Clients	\$986,250	\$75,000	\$1,061,250
	Total Expense	\$986,250	\$75,000	\$1,061,250

**05-95-045-450010-61760000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS:
 DIVISION OF FAMILY ASSISTANCE, STATE ASSIST NON-TANF**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
	Federal Funds			
	General Fund	\$327,500	\$378,000	\$705,500
	Total Revenue	\$327,500	\$378,000	\$705,500
501-500425	Payments to Clients	\$327,500	\$378,000	\$705,500
	Total Expense	\$327,500	\$378,000	\$705,500

**05-093-930010-71000000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SERVICES,
 DEVELOPMENTAL SERVICES DIVISION: DIVISION OF DEVELOPMENTAL SERVICES,
 DEVELOPMENTAL SERVICES**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
000-403793	Federal Funds	\$32,499,866	\$0	\$32,499,866
	General Funds	\$32,715,866	\$3,174,797	\$35,890,663
	Total Revenue	\$65,215,732	\$3,174,797	\$68,390,529
041-500801	Audit Fund Set Aside	\$34,000		\$34,000
102-500731	Contracts for Program Services	\$250,000		\$250,000
502-500891	Payments to Providers	\$64,931,732	\$3,174,797	\$68,106,529
	Total Expenses	\$65,215,732	\$3,174,797	\$68,390,529

05-95-42-421010-29580000, HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF HHS: HUMAN SERVICES, CHILD PROTECTION, CHILD- FAMILY SERVICES.

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
000-403881	Federal Funds	\$6,785,468	\$0	\$6,785,468
	General Fund	\$6,565,313	\$2,575,879	\$9,141,192
	Total Revenue	\$13,350,781	\$2,575,879	\$15,926,660
041-500801	Audit Fund Set Aside	\$5,623		\$5,623
049-584923	Transfer to Other State Agency	\$983		\$983
101-500729	Medical Payments to Providers	\$22,021		\$22,021
108-500751	Provider Payments - Legal Svcs	\$35,372		\$35,372
533-500373	Foster Care Services	\$17,500		\$17,500
534-500375	Adoption Services	\$0		\$0
535-500376	Out of Home Placements	\$6,245,022	\$174,500	\$6,419,522
550-500398	Assessment and Counseling	\$0		\$0
563-500915	Community Based Services	\$1,250,000	\$609,000	\$1,859,000
636-504180	Title IV-E Foster Care Placement	\$898,180	\$247,250	\$1,145,430
637-504181	Title IV-E Foster Care Service	\$6,273	\$98,750	\$105,023
638-504182	Title IV-E Foster Care Other	\$65,625		\$65,625
639-504184	Title IV-ATAMF Emergency Asst Pla	\$1,205,041		\$1,205,041
640-504185	Title IV-ATAMF Emergency Asst Ser	\$404,461		\$404,461
641-504186	Title IV-ATAMF Emergency Asst Oth	\$0		\$0
642-504187	TANF MOE	\$91,839		\$91,839
643-504191	State General Funds for Placement	\$1,498,270	\$817,879	\$2,316,149
644-504195	State General Funds for Services	\$273,284	\$580,500	\$853,784
645-504004	State General Funds for Other	\$50,000	\$0	\$50,000
646-504006	Title IV-E Adoption Placement	\$1,090,662	\$48,000	\$1,138,662
647-504007	Title IV-E Adoption Services	\$125,000	\$0	\$125,000
648-504015	Title IV-E Adoption Other	\$65,625	\$0	\$65,625
	Total Expense	\$13,350,781	\$2,575,879	\$15,926,660

#3 – Contingent upon approval of Requested Action #2, pursuant to RSA 14:30-a, VI, Additional Revenues authorize the Department of Health and Human Services, to accept and expend additional federal funds from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services in the amount of \$165,285 effective upon approval by the Fiscal Committee and Governor and Council through September 30, 2019, and further authorize the allocation of these funds in the accounts below. 100% Federal Funds.

**05-95-47-470010-34130000 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF
 HHS: MEDICAID & BUS POLICY OFC, OFF. OF MEDICAID & BUS. POLICY, CFI &
 NURSING HOME SVS**

CLASS OBJ	CLASS TITLE	Current Authorized Budget	Requested Change	Adjusted Budget
000-404362	Federal Funds	\$50,838,861	\$165,285	\$51,004,146
005-403011	Local Nursing	\$28,731,248		\$28,731,248
005-403399	County ProShare	\$7,258,437		\$7,258,437
007-402241	Agency Income MQIP	\$10,039,247		\$10,039,247
	General Funds	\$4,889,772		\$4,889,772
	Total Revenue	\$101,757,565	\$165,285	\$101,922,850

CLASS OBJ	CLASS TITLE	Current Authorized Budget	Requested Change	Adjusted Budget
040-500800	Indirect Costs	\$32,098		\$32,098
041-500801	Audit Set Aside	\$53,170	\$165	\$53,335
101-500729	Medical Payments to Providers	\$2,311,445		\$2,311,445
504-500893	Nursing Home Payments	\$49,543,175		\$49,543,175
505-500894	Mid Level Care Svs	\$2,378,645		\$2,378,645
506-500895	Home Support Waiver Svs	\$9,437,506	\$165,120	\$9,602,626
509-500897	Other Nursing Services	\$1,170,290		\$1,170,290
514-500356	Proshare	\$14,516,874		\$14,516,874
516-500358	Medicaid Quality Incentive	\$20,078,495		\$20,078,495
529-500370	Home Health Care Waiver Svs	\$2,235,867		\$2,235,867
	Total Expense	\$101,757,565	\$165,285	\$101,922,850

#4 – Contingent upon approval of Requested Action #2, pursuant to RSA 14:30-a, VI, Additional Revenues authorize the Department of Health and Human Services, to accept and expend additional federal funds from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services in the amount of \$3,177,972 effective upon approval by the Fiscal Committee and Governor and Council through September 30, 2019, and further authorize the allocation of these funds in the accounts below. 100% Federal Funds.

**05-093-930010-71000000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SERVICES,
 DEVELOPMENTAL SERVICES DIVISION: DIVISION OF DEVELOPMENTAL SERVICES,
 DEVELOPMENTAL SERVICES**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
000-403793	Federal Funds	\$32,499,866	\$3,177,972	\$35,677,838
	General Funds	\$35,890,663	\$0	\$35,890,663
	Total Revenue	\$68,390,529	\$3,177,972	\$71,568,501
041-500801	Audit Fund Set Aside	\$34,000	\$3,175	\$37,175
102-500731	Contracts for Program Services	\$250,000		\$250,000
502-500891	Payments to Providers	\$68,106,529	\$3,174,797	\$71,281,326
	Total Expenses	\$68,390,529	\$3,177,972	\$71,568,501

#5 - Contingent upon approval of Requested Action #2, Pursuant to the provisions of RSA 14:30-a, VI, Additional Revenues, authorize the Department of Health and Human Services, Division of Children, Youth and Families to accept and expend federal funds in the amount of \$1,178,678 from the Title IV-E program and Medicaid, effective upon approval by the Fiscal Committee and Governor and Council through September 30, 2019, and further authorize the allocation of these funds in the accounts below. 100% Federal Funds.

**05-95-42-421010-29580000, HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF
 HHS: HUMAN SERVICES, CHILD PROTECTION, CHILD-FAMILY SERVICES**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
000-403881	Federal Funds	\$6,785,468	\$1,178,678	\$7,964,146
	General Fund	\$9,141,192	\$0	\$9,141,192
	Total Revenue	\$15,926,660	\$1,178,678	\$17,105,338
041-500801	Audit Fund Set Aside	\$5,623	\$1,178	\$6,801
049-584923	Transfer to Other State Agency	\$983		\$983
101-500729	Medical Payments to Providers	\$22,021		\$22,021
108-500751	Provider Payments - Legal Svcs	\$35,372		\$35,372
533-500373	Foster Care Services	\$17,500		\$17,500
534-500375	Adoption Services	\$0		\$0
535-500376	Out of Home Placements	\$6,419,522	\$174,500	\$6,594,022
550-500398	Assessment and Counseling	\$0		\$0
563-500915	Community Based Services	\$1,859,000	\$609,000	\$2,468,000
636-504180	Title IV-E Foster Care Placement	\$1,145,430	\$247,250	\$1,392,680
637-504181	Title IV-E Foster Care Service	\$105,023	\$98,750	\$203,773
638-504182	Title IV-E Foster Care Other	\$65,625		\$65,625
639-504184	Title IV-ATAMF Emergency Asst Pla	\$1,205,041		\$1,205,041
640-504185	Title IV-ATAMF Emergency Asst Ser	\$404,461		\$404,461
641-504186	Title IV-ATAMF Emergency Asst Oth	\$0		\$0
642-504187	TANF MOE	\$91,839		\$91,839
643-504191	State General Funds for Placement	\$2,316,149		\$2,316,149
644-504195	State General Funds for Services	\$853,784		\$853,784
645-504004	State General Funds for Other	\$50,000		\$50,000
646-504006	Title IV-E Adoption Placement	\$1,138,662	\$48,000	\$1,186,662
647-504007	Title IV-E Adoption Services	\$125,000		\$125,000
648-504015	Title IV-E Adoption Other	\$65,625		\$65,625
	Total Expense	\$15,926,660	\$1,178,678	\$17,105,338

EXPLANATION

The Department is requesting to (i) accept additional Federal Funds revenue in the Medicaid program; (ii) transfer general funds made available from AU 79480000 Medicaid Care Management within the Department and (iii) (iv) and (v) to accept matching federal funds.

State Phase Down-79390000

Funds are needed in excess of the State Fiscal Year 2019 Authorized Budget amount approved in the Continuing Resolution to address a shortfall in the State Phase Down Accounting Unit 79390000. Funds are needed due to a larger than budgeted increase in enrollment and Part-D premium rate, which is set by the Centers for Medicare and Medicaid Services. Funds are needed in order to process the September 2019 State Phase Down invoice.

CFI and Nursing Home Svs-34130000

Funds are needed in excess of the State Fiscal Year 2019 Authorized Budget amount approved in the Continuing Resolution to address a shortfall in the Choices for Independence (CFI) Program Accounting Unit 34130000. This is a Medicaid Home and Community Based Services (HCBS) Program intended to support seniors and adults requiring nursing facility level of care to receive services in the community. CFI, provided under a HCBS Medicaid Waiver, is an essential service as part of the continuum of supports for those requiring Long Term Supports and Services as an alternative to Nursing Facility care. The client count has exceeded the budgeted amount for these services in State Fiscal year 2019. For 2019 there was an annual enrollment of 2,465 individuals used for budgeting and through May 2019 there have been 3,583 individuals that have received services. This transfer will provide funding needed to continue these services. Should Fiscal Committee and Governor and Executive Council not authorize this request, the Department will be unable to pay providers for services provided to our clients.

Bureau of Family Assistance-Cash Assistance-61530000, 61700000 & 61760000

Funds are needed in excess of the State Fiscal Year 2019 Authorized Budget amount approved in the Continuing Resolution for the Bureau of Family Assistance within Accounting Units 61530000 State TANF Program, 61700000 OAA Grants and 61760000 State Assist non-TANF. Funding represents payments to clients; associated with Families with Older Children, under NH Old Age Assistance (OAA) and under NH Interim Disabled Parent (IDP) Programs. Caseloads and grant award amounts had increased in State Fiscal Year 2019 and funds had to be transferred throughout the year to ensure continuation of services. State Fiscal Year 2020 is projected to have the same caseload increases, this transfer will provide funding needed to continue these services. This transfer is required to maintain existing program levels. Should Fiscal Committee and Governor and Executive Council not authorize this request, we will be unable to provide client driven cash assistance to NH's most vulnerable citizens

Developmental Disabilities-71000000

Funds are needed in excess of the State Fiscal Year 2019 Authorized Budget amount approved in the Continuing Resolution to maintain services provided in the Developmental Services Division budget within Accounting Unit 71000000 Developmental Services. The Department has used a combination of funds in the State Fiscal Year 2018/2019 biennium to meet the needs of people served. Those funds include: the original budget appropriation, an additional appropriation, carry-forward dollars, a transfer of dollars that would otherwise lapse, and vacancy dollars. The waitlist at the start of the State Fiscal Year 2018/2019 biennium has been reduced from 227 to zero. The State Fiscal Year 2020/2021 maintenance budget reflects all of the people brought into service in State Fiscal Year 2018/2019 biennium who will continue to be served in the State Fiscal Year 2020/2021 biennium. The

need for additional funds during the Continuing Resolution budget period is to maintain those services that have begun. If this request is denied, the CR funding based on 3/12th of the State Fiscal Year 2019 Adjusted/Authorized will not be sufficient to continue serving the needs of the current program participants.

DCYF – Child and Family Services-2958000

Funds are needed in excess of the State Fiscal Year 2019 Authorized Budget amount approved in the Continuing Resolution for the Division of Children, Youth and Families within Accounting Unit 29580000 Child Protection, Child Family Services. Funding in this Accounting Unit represents costs associated with purchased services for Abuse and Neglect, CHINS and Delinquent clients. These services include board and care, as well as, community-based services as ordered by the courts. Caseloads and grant award amounts had increased in State Fiscal Year 2019 and funds had to be transferred throughout the year to ensure continuation of services. State Fiscal Year 2020 is projected to have the same high level of caseload, this transfer will provide funding needed to continue these services.

Listed below are answers to standard questions required of all Fiscal Committee item requests, related to RSA 9:16-a, "Transfers authorized", RSA 14:30-a, VI "Expenditure of funds over \$100,000 from any Non State Source", or RSA 124:15,"Positions Authorized", or both, and all Emergency requests pursuant to " Chapter 145, subparagraph I, (a), Laws of 2019, making temporary appropriations for the expenses and encumbrances of the State of New Hampshire":

1. Is the action required of this request a result of the Continuing Resolution for FY 2020?

Yes, this transfer request is a result of the FY 2020 Continuing Resolution. Caseloads and grant award amounts had increased in State Fiscal Year 2019 and funds had to be transferred throughout the year to ensure continuation of services. State Fiscal Year 2020 is projected to have the same high level of caseload, this transfer will provide funding needed to continue these services.

The federal funds being accepted are a result of the reauthorization of the Medicaid Children's Health Insurance Program (CHIP) and represent the thirty-eight percentage point enhanced federal match (EFMAP). During the SFY 2018-2019 budget development process, due to uncertainty of congressional reauthorization of the CHIP programs, the State budgeted one quarter (three months) of Medicaid CHIP revenue at a federal match of 88% and three quarters at 50% federal match for SFY2018; and all four quarters of SFY 2019 at a federal match of 50%. The effect of the amendments to the FMAP:

- EFMAP plus 23 percentage points remains in effect for federal fiscal years 2018 and 2019, which is equal to 88% for the period of October 1, 2017 through September 30, 2019;
- EFMAP plus 11.5 percentage points is in effect for federal fiscal year 2020, which is equal to 76.5% for the period of October 1, 2019 through September 30, 2020; and
- EFMAP reverts to the standard FMAP rate of 65% (pre-October 1, 2015 formula) as of October 1, 2020

2. If this request is retroactive what is the significance and importance of the action being effective from an earlier date?

This request is not related to any retroactive requests

3. Is this a previously funded and ongoing program established through Fiscal Committee and Governor and Executive Council action? (If so, include as an attachment the original documents as approved and cite the specific dates of authorization and end dates for each action as part of your answer to this question.)

No, the requested transfer is not related to any programs established through Fiscal Committee and Governor and Council action.

4. Was funding for this program included in the FY 2018-2019 enacted Budget or requested and denied?

The funding for the programs included in this transfer were included in the FY 2018-2019 Enacted Budget.

5. Is this program in total or in part, included in the vetoed FY 2020-2021 Operating Budget proposal currently pending for your department, or was it requested and denied?

Yes, all programs were included in the FY 2020-2021 Operating Budget

6. Does this program include, either positions or consultants, and if so are the positions filled, vacant, or have offers pending? (Please provide details for each position and note whether consultant contracts have been awarded.)

No, this request does not include funding for positions or consultants.

7. What would be the effect should this program be discontinued or not initiated as a result of this request being denied?

Due to the Continuing Resolution budget, the Department of Health and Human Services has available 25% of its Adjusted Authorized State Fiscal Year 2019 budget to be utilized for State Fiscal Year 2020 expenses.

This transfer is required to maintain existing program levels. Should Fiscal Committee and Governor and Executive Council not authorize this request, the Department would have shortfalls in multiple accounting units and will be unable to pay providers for services provided to our clients.

Geographic area served: Statewide

Source of funds:

Source of Funds: These funds are 100% Federal from the Title IV-E program and 100% Federal Funds from the United States Department of Health and Human Services Centers for Medicare and Medicaid Services, Medical Assistance Program, Medicaid Title XIX, Catalog of Federal Domestic Assistance (CFDA) #93.778.

Respectfully submitted,



Jeffrey A. Meyers
Commissioner