

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-01-16
Baltimore, MD 21244-1850



Children and Adults Health Programs Group

August 17, 2021

Michael Boutte
Interim Medicaid Executive Director
State of Louisiana, Department of Health
Bureau of Health Services Financing
628 North 4th Street
Baton Rouge, LA 70821-0629

Dear Mr. Boutte:

Thank you for your Children's Health Insurance Program (CHIP) State Plan Amendment (SPA) LA-21-0016 submitted on June 30, 2021. Through this SPA, Louisiana proposes to modify its CS27 SPA to include additional exceptions to the continuous eligibility period. As you are aware, your SPA has been undergoing review by the Centers for Medicare & Medicaid Services (CMS).

In order to proceed with our review, we find it necessary to seek further information on your SPA related to the provision of continuous eligibility under Section 2105(a)(4)(A) of the Social Security Act (the Act) and citizenship documentation requirements under Section 2105(c)(9) of the Act.

Under Section 2106(c) of the Act, the CMS must approve, disapprove, or request additional information on a proposed amendment to a title XXI state plan within 90 days. This letter constitutes our notification that specified additional information is needed in order to fully assess this amendment. The 90-day review period has been stopped by this request and will resume as soon as responses to the questions below have been provided by the state to CMS.

Your Project Officer is Sandra Phelps. She is available to answer your questions and other CHIP-related matters. Ms. Phelps' contact information is as follows:

Centers for Medicare & Medicaid Services
Center for Medicaid and CHIP Services
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We look forward to continue working with you and your staff.

Sincerely,

Cassie Lagorio for

Meg Barry
Director
Division of State Coverage Programs

Outstanding Questions CHIP SPA LA-21-0016:

Background:

We note that since Louisiana submitted its original continuous eligibility template in 2014, CMS issued continuous eligibility regulations at 42 CFR 457.342. We are including the following link to our final rule in this area, for your reference. Final rule:

<https://www.govinfo.gov/content/pkg/FR-2016-11-30/pdf/2016-27844.pdf>.

Questions:

1. Louisiana proposes to add two exceptions to its continuous eligibility policy. One exception relates to terminating individuals who do not verify citizenship or immigration status. Please describe the state's current policies for verifying citizenship and immigration status, including the state's policies related to the reasonable opportunity period.
2. The state indicates that the two exceptions to continuous eligibility are already in place. When did the state begin implementing the exceptions? How many individuals have been subject to each of the two exceptions?
3. Please confirm our understanding that the two proposed continuous eligibility exceptions are not applicable to the unborn population.
4. Please clarify whether the proposed exceptions are also applicable to the state's Medicaid continuous eligibility process.
5. Has Louisiana received any comments on this CHIP SPA amendment as part of its tribal consultation process? If yes, please describe.