

CMS 2325F 1115 Basic Medicaid Waiver Renewal Public Notice and Public Input Process

<p>30 days prior to CMS submission</p>	<p><u>Full Public Notice State Level – Section 1115 Waivers – For new demonstrations or extension of an existing demonstration.</u></p>	<p>Code of Federal Regulation</p>
<p><input type="checkbox"/></p>	<p>For Extension Requests Under 1115(a), 1115(e), and 1115(f):</p>	<p>431.412(e)</p>
<p><input type="checkbox"/></p>	<p>Accept public notice comments for a minimum 30 day time period, prior to submission. The public notice must address the information requirements list at 432.408(a)(1)(i) through (iv).</p>	<p>431.408(a)(1)</p>
<p><input type="checkbox"/></p>	<p>Montana Code Annotated (MCS) requires 60 days prior to formal submission.</p>	<p>MCA 53-215(20)(a)</p>
<p><input type="checkbox"/> 30 days prior to submission</p>	<p><u>Required Ways for Public Notice:</u></p> <p><u>Notices</u> – State must publish in administrative record or newspapers seeking public comment on proposed demonstration application or extension request. Can be abbreviated notice, but must contain a summary description of the proposed demonstration project, the location and times of two or more public hearings, and a link to the State’s web site where the application and the full public notice can be viewed.</p> <p>Notice must contain: summary program description, including the goal and objectives to be implemented or extended; health care delivery system and the eligibility requirements, benefit coverage, and cost sharing (premiums, copayments and deductibles) required of or available to individuals that will be impacted, and how the provisions vary from current program features; estimate of expected increase or decrease in annual aggregate expenditures by population group impacted by the demonstration; estimate of historic coverage data, as well as coverage projections expected over the term of the demo for each category of beneficiary whose health care coverage is impacted by the demo; hypothesis and evaluation parameters of the demo; location and internet address of where copies of the application will be available for public review and comment; postal and internet email addresses where written comments may be sent and reviewed by the public, and timeframe during which comments will be accepted; and location, date, and time of at least two public hearings convened by the state to seek public input on the demo application.</p>	<p>431.408(a)(2)(i)</p>
<p><input type="checkbox"/> 30 days prior to submission</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><u>Electronic Mailing List</u> – Notify of state’s intent to submit.</p> <p>(MCA requires comments through electronic means or mail.)</p> <p>(MCA requires announcing the <u>pending</u> submittal, with general purpose, and informing the public the proposal is available on the website.)</p>	<p>431.408(a)(2)(iii)</p> <p>MCA 53-2-215(20)(c)</p> <p>MCA 53-2-215(20)(b)</p>
<p><input type="checkbox"/> 30 days</p>	<p><u>State Web Site</u> – State must post full public notice on state web site, in</p>	<p>431.408(a)(2)</p>

<p>prior to submission</p> <p><input type="checkbox"/></p> <p>30 days prior</p>	<p><i>prominent location, with the demonstration application with sufficient level of detail to provide opportunity to review and solicit input.</i></p> <p><i>(MCA requires posting the waiver concept paper, formal correspondence regarding a waiver proposal, the final approved waiver, including documents received from CMS on the website.)</i></p> <p><i>Establish and maintain, on the Department website (main page or demo specific page) we must publish our public notice process, public input process, planned hearings, and demonstration application(s) to include relevant demonstration pages of the full public notice, demonstration application with sufficient level of detail to provide the public an opportunity to review and provide meaningful input. And provide a link to the appropriate demonstration on the CMS site.</i></p>	<p>MCA 53-2-215(20)(d)</p> <p>431.408(a)(2)(i)</p> <p>431.408(a)(2)</p>
<p><input type="checkbox"/> 30 days prior</p>	<p><u>CMS Link</u> – Required to include a link to relevant Medicaid demonstration pages(s) on the CMS web site on our web site.</p>	<p>431.408(a)(2)(i)</p>
<p><input type="checkbox"/> 20 days prior</p> <p><input type="checkbox"/></p>	<p><u>Public Hearings</u> – State must hold two public hearings on separate dates and separate locations. Must provide the public throughout the state an opportunity to provide comments. Must <u>post</u> public hearing information to solicit feedback on the application.</p> <p><u>Use telephonic and/or web conference capabilities</u> for at least one public hearing to ensure statewide accessibility to the hearing unless the state can document that it has met this requirement.</p> <p>Can be at least two of the following public forums: Medical Advisory committee; commission or other similar process; state legislative process or any similar process.</p> <p>Compile report of comment consideration in the application.</p> <p><i>(MCA requires one public forum, one location, one date.)</i></p> <p><i>(Prior to submitting a <u>proposal</u>, MCA requires Medicaid Advisory Council.)</i></p> <p><i>(Prior to <u>formal</u> submittal, MCA requires House Appropriations Committee or Children, Families, Health and Human Services Interim Committee.)</i></p>	<p>431.408(a)(3)</p> <p>431.408(a)(3)</p> <p>431.408(a)(3)</p> <p>431.412(a)</p> <p>MCA 53-2-215(20)(c)</p> <p>MCA 53-2-15(18)</p> <p>MCA 53-2-215(19)</p>
<p><input type="checkbox"/> 30 days prior</p>	<p>The state must also publish an <u>abbreviated public notice</u> that must contain a summary description of the proposed demonstration project, the location and times of two or more public hearings, even if the public hearing has already occurred, and a link to the State’s web site where the application and the full public notice can be viewed.</p>	<p>431.408(a)(2)(ii)</p>
<p><input type="checkbox"/> 30 days prior</p>	<p>Required to utilize a mechanism, such as an <u>electronic mailing list</u>, to notify interested parties of a demonstration application in addition to publishing an abbreviated public notice in either the state’s administrative record or significant newspapers.</p>	<p>431.408(a)(2)(iii)</p>

<input type="checkbox"/> <input type="checkbox"/>	<p>h. <i>Summaries of Externel Quality Review Organization reports, MCO, and State quality assurance monitoring, and any other documentation of the quality of care provided under the demo.</i></p> <p>i. <i>Financial data demonstrating the historical, and projected expenditures for the requested period of the extension, as well as cumulatively over the lifetime of the demonstration. This includes a financial analysis of changes to the demo requested by the state.</i></p> <p>j. <i>An evaluation report of the demo inclusive of evaluation activities and findings to date, plans for evaluation activities during the extension period, and if changes are requested, identification of research hypotheses related to the changes and an evaluation design for addressing the proposed revisions.</i></p> <p>k. <i>Written evidence of the state’s compliance with the public notice process set forth in 431.408, including the post-award public input process described in 431.420(c) with a report of key issues raised by the public during the comment period and how the state took those comments into consideration when developing the demo extension application.</i></p> <p>l. <i>If the state supplies or CMS requests additional info that substantially modifies an application from the original design, CMS may, direct an additional 30 day public comment period.</i></p> <p>m. <i>Must be submitted to CMS as both printed and electronic documents.</i></p> <p>n. <u>Request must be sent from the Governor.</u></p> <p>o. <i>CMS may extend an existing demo on a temporary basis while a successor demo is under review.</i></p> <p>p. <i>Application not complete until provides the required information listed at 431.412(c)(2)(i)(vii).</i></p> <p>q. <i>CMS must send the state a written notice of elements missing within 15 days of application receipt.</i></p> <p>r. <i>CMS must send written notice of application receipt, date received, start date of 30 day federal public notice process, and the end date of the 45 day minimum federal decision making period. Max?</i></p> <p>s. <i>If approved CMS sends approval, agreed upon terms and conditions, such as evaluation design, quarterly progress reports, annual reports and interim and/or final eval reports.</i></p> <p>t. <i>State sends acceptance letter as applicable.</i></p>	<p>431.412</p> <p>431.412(c)(2)</p> <p>431.412(c)(4)</p> <p>431.412</p> <p>431.416</p>
<input type="checkbox"/>	<p><u>Application Process:</u></p> <p>a. <i>CMS will notify the state within 15 days of receipt of a <u>complete</u> application. The notice starts the 30 day federal public comment period. (431.412(b)(1))</i></p> <p>b. <i>CMS will provide the state written notice, within 15 days of receipt of an incomplete application. (431.412(b)(1))</i></p> <p>c. <i>CMS will publish the status of all state submissions. (431.412(b)(3))</i></p>	<p>431.412(b)</p>
<input type="checkbox"/>	<p>**MCA requires a report to the legislature, as provided in 5-11-210, on the conditions of approval and the status of implementation for each section 1115 waiver approved by CMS. For any proposed 1115 not approved by CMS, DPHHS shall provide to the next legislative session a report on the basis for disapproval and an analysis of the fiscal costs and programmatic impacts of serving the persons within the proposed 1115 waiver eligibility groups through eligibility under one of the optional Medicaid eligibility categories established in federal law and authorized by 53-6-131.</p>	<p>MCA 53-2-215(17)</p>
<input type="checkbox"/> 6 months	<p><u>Monitoring & Compliance:</u> <i>To ensure continued public input, states shall hold a <u>public forum</u> to solicit</i></p>	<p>431.420</p> <p>431.420(c)</p>

<p>after implement demo and <input type="checkbox"/> annually thereafter. <input type="checkbox"/> a. 30 days prior <input type="checkbox"/> b. In quarterly report.</p>	<p>comments on the progress of the demo. The public forum must occur using either: The Medical Advisory Committee or a state legislative process, commission or other similar process, where meetings are open to members of the public, and would afford an interested party the opportunity to learn about the demo's progress.</p> <p>a. Must publish the date, time, and location of the public forum in a prominent location the state's website at least 30 days prior to the date of the planned public forum.</p> <p>b. The quarterly report must contain a summary report of the public forum in the quarterly report associated with the quarter the forum was held.</p> <p>c. State must publish the approved demonstration evaluation design on the state's web site.</p>	<p>431.420(c)(1)(iii)</p> <p>431.420(c)</p> <p>431.434(c)</p>
<p><input type="checkbox"/> 1a.No later than 90 days after end of demo year. <input type="checkbox"/> 1aa.within 30 days of submission <input type="checkbox"/> 1b.within 60 days of receipt of CMS comments. <input type="checkbox"/> 1bb. Within 30 days of submission</p> <p><input type="checkbox"/> 2a <input type="checkbox"/> 2aa 30 days <input type="checkbox"/> 2aaa 30 days</p>	<p><u>Reporting Requirements:</u></p> <p><u>1)Annual Reports</u> –</p> <p>1a.State must submit a <u>draft annual</u> report with described elements within 90 days of demo year end. 1aa – state must publish draft annual report on website within 30 days of submission.</p> <p>b.State must submit a <u>final annual</u> report within 60 days of receipt of CMS comments. 1bb – state must publish final annual report on website within 30 days of submission.</p> <p>c.<u>Termination or denial</u> demo letters are to be published on the state web site.</p> <p><u>2) Demonstration Evaluation</u> –</p> <p>2a.state must submit and receive approval for demo evaluation with required elements. 2aa - state must publish evaluation on website within 30 days of submission. 2aaa – state must publish evaluation on website within 30 days of CMS approval.</p> <p>Quarterly Reports – Normally in Special Terms and Conditions</p>	<p>431.428</p> <p>431.428</p> <p>1a - 431.428(b)</p> <p>1aa - 431.424(b)(2)</p> <p>1b - 431.428(b)</p> <p>1bb – 431.428(b)(2)</p> <p>c.431.416(f)(1)(ix)</p> <p>431.424</p> <p>431.424(a)(b)</p> <p>2aa – 431.424(d)</p> <p>2aaa - 431.424(c)(1)</p>
	<p>MCA Managed Care Requirements - If managed care, complied with requirements in SB 351 from the 2011 Montana Legislature. MCA: 33-1-102, 33-31-115, 53-6-116, 53-6-702, 53-6-704, 53-6-705, 53-6-707, 53-21-701.</p>	

Cc: 5-13 1115 Basic Medicaid Waiver Renewal Public Notice and Public Input Process