

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
Denver Regional Office  
1961 Stout Street, Room 08-148  
Denver, CO 80294



**REGION VIII - DENVER**

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March 29, 2018

Marie Matthews, Medicaid & CHIP Director  
Montana Department of Public Health & Human Services  
P.O. Box 4210  
Helena, MT 59604

Dear Ms. Matthews:

We are sending this letter in companion to the approval of state plan amendment (SPA) #17-0040 which was submitted on December 29, 2017. As part of our review, the Centers for Medicare & Medicaid Services (CMS) and the State discussed the state's implementation of the cost sharing exemption of American Indian/Alaska Natives. This letter serves to memorialize the Montana's planned strategy to apply this exemption in a manner which is compliant with federal rules.

As part of our review of SPA #17-0040, Montana described their implementation of the American Indian and Alaska Natives (AI/AN) exemption from premiums and/or cost sharing, which is not consistent with federal rules. Federal rules require that AI/ANs who are eligible to receive or have received an item or service furnished by an Indian health care provider or through referral under contract health services are exempt from premiums; and AI/ANs who are currently receiving or have ever received an item or service furnished by an Indian health care provider or through referral under contract health services are exempt from cost sharing. States can elect from a variety of options in the state plan to implement these exemptions such as accepting self-attestation that an AI/AN individual has received a service or is eligible to receive a service from an Indian health care provider or requesting an applicant/beneficiary supply a letter from the Indian health care provider. Indian health care provider means a health care program operated by the Indian Health Service (IHS) or by an Indian Tribe, Tribal Organization, or Urban Indian Organization. The State informed us that it is not implementing any of the available options outlined in the state plan.

As part of the approval of SPA#17-0040, the State has revised the applicable attestation on the G3 state plan page to indicate that the State will implement the exemption of the AI/ANs in a manner that is consistent with federal rules. Specifically, the State has agreed to flag a beneficiary/applicant as exempt in their eligibility system, CHIMES, when an individual has responded affirmatively to both the question on whether the applicant/beneficiary is an AI/AN and whether the individual has received, is receiving or is eligible to receive a service from an Indian health care provider or contract provider when applying for Medicaid eligibility. The State has agreed to make these system changes to be fully compliant by July 1, 2019.

If you have any questions regarding this companion letter to the approval of MT 17-0040, please contact Barbara Prehmus at (303) 844-7472.

Sincerely,



Richard C. Allen  
Associate Regional Administrator  
Division for Medicaid & Children's Health Operations

cc: Sheila Hogan, Department Director  
Mary Eve Kulawik