

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-25-26
Baltimore, Maryland 21244-1850



State Demonstrations Group

July 1, 2020

Melody Anthony
Chief State Medicaid Director
Chief Operating Officer
Oklahoma Health Care Authority
4345 N. Lincoln Blvd.
Oklahoma City, Oklahoma 73105

Dear Ms. Anthony:

Thank you for your request for a new section 1115 demonstration entitled, "Institutions for Mental Disease Waiver for Serious Mental Illness/Substance Use Disorder". The Centers for Medicare & Medicaid Services (CMS) received Oklahoma's new application request on June 19, 2020. We have completed a preliminary review of your request in accordance with the requirements of 42 CFR 431.412(a) and have determined that the state's application meets these requirements for a complete application.

In light of the national public health emergency concerning COVID-19 and statewide social distancing guidance to prevent its spread, two virtual hearings were held on May 6 and May 8, 2020. Such hearings were permissible through CMS authority under 42 CFR 431.416(g)(2) which allows a state to depart from normal public notice procedures as described in section 431.408 due to the unforeseen nature of the public health emergency. Under section 431.416(g)(3), in order for a state to receive an exemption under section 431.416(g)(2), the state must meet three criteria: (i) the state must be acting in good faith, and in a diligent, timely, and prudent manner; (ii) the circumstances must constitute an emergency that could not have been reasonably foreseen; and (iii) it must be the case that a delay would undermine or compromise the purpose of the demonstration and be contrary to the interests of beneficiaries. CMS has determined that the state has met these criteria.


Oklahoma's application will be posted on Medicaid.gov for a 30-day federal comment period as required by 42 CFR 431.416(b). The state's application will be available at: <https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/index.html>.

We look forward to working with you and your staff on the proposed demonstration project. If you have questions regarding the section 1115 application process, please contact your CMS project officer, Ms. Felicia Pailen, at Felicia.Pailen@cms.hhs.gov.

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Sincerely,

7/1/2020

 Andrea J Casart

Signed by: Andrea J. Casart -A

Andrea J. Casart
Director
Division of Eligibility and Coverage
Demonstrations

cc: Deborah Read, State Monitoring Lead, Medicaid and CHIP Operations Group