

Implementation Guide: Medicaid State Plan Administration Organization Designation and Authority

Contents

POLICY CITATION	2
BACKGROUND	2
Overview	2
Single State Agency	2
Administration of the Medicaid Program	2
REVIEWABLE UNIT DEPENDENCIES	4
INSTRUCTIONS.....	11
A. Single State Agency.....	11
B. Attorney General Certification	11
C. Administration of the Medicaid Program.....	11
D. Additional Information (optional)	11
REVIEW CRITERIA.....	12

Designation and Authority

POLICY CITATION

Statute: 1902(a)(3), 1902(a)(4), 1902(a)(5)
Intergovernmental Cooperation Act of 1968 – 31 USC 6504
Regulation: 42 CFR 431.10

BACKGROUND

Overview

This reviewable unit (RU) describes the basic administration of the Medicaid program and the legal authority of the state to submit and administer the state plan. This RU includes the name of the single state agency, the state Attorney General’s certification, and the designation of other governmental entities, agencies or organizations involved in the administration of the plan.

Single State Agency

As described at 42 CFR 431.10(b), states are required to designate, within the state plan, a single state agency to administer or supervise the administration of the Medicaid state plan. This ensures that there is a single point of responsibility and accountability for proper administration of the State Medicaid program, including for eligibility determinations. Throughout the state plan, the terms “single state agency” and “Medicaid agency” are synonymous.

The state Attorney General certifies the legal authority under which the single state agency administers or supervises the administration of the Medicaid plan and makes rules and regulations that it follows in administering the plan and that are binding upon local agencies that administer the plan, as appropriate. As described at 42 CFR 431.10(b)(2), certification by the Attorney General must be included in the state plan and may be uploaded in the **Designation and Authority** RU. If the citation of the legal authority changes or the state agency which has the responsibility to be the single state agency changes, a new certification is needed. However, a new certification is not needed to reflect a change in the state’s Attorney General.

Administration of the Medicaid Program

States have a number of options in the administration of their Medicaid programs. The single state agency may administer the Medicaid state plan in its entirety, or it may administer portions of the state plan directly and:

1. Supervise the administration of portions of the state plan by local political subdivisions (counties or other local government entities created by the state to help fulfill their obligations);
2. Supervise the administration of portions of the state plan by other state agencies that implement these portions through counties or other local government entities; and/or
3. Delegate the administration of portions of the state plan to other state agencies.

If the single state agency is the sole administrator of the state plan, no other state or local entity assumes responsibility for any portion of the state plan. If the single state agency supervises the administration of portions of the state plan through either local political subdivisions or other

state agencies (or both), such entities may, for example, conduct Medicaid eligibility determinations on behalf of the state Medicaid agency.

If the single state agency delegates administration of a portion of the state plan, such as the administration of fair hearings, to another state agency, then the state must obtain a waiver of the Intergovernmental Cooperation Act of 1968 (ICA waiver). In order to obtain a waiver, the state must ensure oversight of the delegated entity, provide a clear description of the responsibilities and functions delegated to such an entity, and fulfill other requirements. Such waivers are described in more detail in the **Intergovernmental Cooperation Act Waivers** RU.

Other key functions of the Medicaid program and the offices and entities that carry out such functions are further described in the **Eligibility Determination and Fair Hearings** RU. For instance, a state may conduct eligibility determinations within the Medicaid agency, or may delegate to other state agencies, an Exchange, or a combination of such entities to make eligibility determinations. These options and the structure established by the state are laid out clearly in the **Eligibility Determination and Fair Hearings** RU.

The **Organization and Administration** RU explains the key functions and structure of the Medicaid agency and describes how the single state agency interacts with other Executive Branch agencies to administer services to Medicaid beneficiaries.

Assurances related to the administration of the state plan by the single state agency, including establishing a Medical Care Advisory Committee and maintaining merit protection requirements, are in the **Single State Agency Assurances** RU.

REVIEWABLE UNIT DEPENDENCIES

Many RUs in MACPro are dependent upon other RUs. Each time a primary RU is changed, there could be an effect on other, secondary RUs which are dependent on the primary. For example, in the **Mandatory Eligibility Groups** RU, there is question as to whether the state covers the adult group. If *Yes* is selected, and if a box is checked to include the adult group in the submission package, then the **Adult Group** RU will be included by the system in the package and the user can navigate to it to complete it. If *No* is selected, the **Adult Group** RU will not be included in the package. In this example, the **Mandatory Eligibility Groups** RU is the *Primary RU* and the **Adult Group** RU is the *Secondary RU*. The **Adult Group** RU is considered to be dependent on selections made in the **Mandatory Eligibility Groups** RU.

Whenever a change in a primary RU may affect a secondary RU, you either need to revise the secondary RU (if it is already in the package) or add the secondary RU to the package so that it can be updated in the same submission package as the primary RU.

The following table explains the dependent relationships for the **Designation and Authority** RU:

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority	Intergovernmental Cooperation Act Waivers	Unless the Designation and Authority RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the Intergovernmental Cooperation Act Waivers RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package, you need to: <ul style="list-style-type: none"> • Add the primary RU to the package, complete it and validate it. • Alternatively, remove the secondary RU from the package.

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority	Intergovernmental Cooperation Act Waivers	In section C of the Designation and Authority RU (primary), if C.2.c. has been selected (and was not selected in the last approved version in MACPro), indicating that another state agency administers a portion of the state plan through a waiver under the Intergovernmental Cooperation Act of 1968 (ICA waiver), the secondary RU – Intergovernmental Cooperation Act Waivers , must be included in the submission package.	If you changed the selection of the option in the primary RU to indicate the state plan is now partially administered through an ICA waiver, you must include and complete the secondary RU in the submission package.
Designation and Authority	Intergovernmental Cooperation Act Waivers	In section C of the Designation and Authority RU (primary), if C.2.c. has been de-selected (and <u>was</u> selected in the last approved version in MACPro), indicating that another state agency no longer administers a portion of the state plan through a waiver under the Intergovernmental Cooperation Act of 1968 (ICA waiver), the secondary RU – Intergovernmental Cooperation Act Waivers , must be included in the submission package.	If you changed the selection of the option in the primary RU to indicate the state plan is now <u>not</u> partially administered through an ICA waiver, you must include and complete the secondary RU in the submission package and enter the date the last waiver terminated.
Designation and Authority	Eligibility Determinations and Fair Hearings	Unless the Designation and Authority RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the Eligibility Determinations and Fair Hearings RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package, you need to: <ul style="list-style-type: none"> • Add the primary RU to the package, complete it and validate it. • Alternatively, remove the secondary RU from the package.

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority	Eligibility Determinations and Fair Hearings	In section C of the Designation and Authority RU (primary), if either C.2.a or C.2.b. has been selected, indicating that the single state agency supervises administration of the state plan by another agency in the secondary RU – Eligibility Determinations and Fair Hearings, A.1.c. and A.2.c. Local governmental entities are displayed as options.	If you indicated in the primary RU that the single state agency supervises administration of the state plan by another agency, you need to check the appropriate option at A.1.c. or A.2.c. in the secondary RU to indicate whether local governmental entities conduct determinations of eligibility for families, adults and individuals under 21 or conduct determinations of eligibility for individuals based on age, blindness, and disability.
Designation and Authority	Eligibility Determinations and Fair Hearings	In section C of the Designation and Authority RU (primary), if either C.2.a or C.2.b. has been <u>de-selected</u> , indicating that the single state agency no longer supervises administration of the state plan by another agency, the secondary RU – Eligibility Determinations and Fair Hearings , must be included in the submission package.	If you have changed the primary RU to indicate that the single state agency no longer supervises administration of the state plan by another agency, you need to include the secondary RU in the submission package, as the option to use local governmental entities to conduct determinations of eligibility for families, adults and individuals under 21, or to conduct determinations for individuals based on age, blindness, and disability, will no longer be available.

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority <u>and</u> Intergovernmental Cooperation Act Waivers	Eligibility Determinations and Fair Hearings	In section C of the Designation and Authority RU (primary), if C.2.c. has been selected, indicating that another state agency administers a portion of the state plan through a waiver under the Intergovernmental Cooperation Act of 1968 (ICA waiver), <u>and</u> in the Intergovernmental Cooperation Act Waivers RU (primary), there is at least one waiver in “Requested” or “Active” status, in the secondary RU – Eligibility Determinations and Fair Hearings, B.1.b., State agency to which fair hearing authority is delegated under an ICA waiver is displayed as an option.	If you indicated in the primary RU that administration of the state plan is partially administered through an ICA waiver, and you have entered at least one waiver and it is either in “Requested” or “Active” status, you need to check the option at B.1.b. in the secondary RU, if appropriate, to indicate whether fair hearing authority is delegated under the ICA waiver with respect to eligibility based on MAGI.
Designation and Authority	Eligibility Determinations and Fair Hearings	In section C of the Designation and Authority RU (primary), if C.2.c. has been <u>de-selected</u> , indicating that another state agency no longer administers a portion of the state plan through a waiver under the Intergovernmental Cooperation Act of 1968 (ICA waiver), the secondary RU – Eligibility Determinations and Fair Hearings , must be included in the submission package.	If you indicated in the primary RU that administration of the state plan is no longer partially administered through an ICA waiver, you need to include the secondary RU in the submission package, as the option to indicate that fair hearing authority is delegated under an ICA waiver will no longer be available.

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority	Eligibility Determinations and Fair Hearings	In section C of the Designation and Authority RU (primary), if either C.2.a or C.2.b. has been selected, indicating that the single state agency supervises administration of the state plan by another agency, in the secondary RU – Eligibility Determinations and Fair Hearings, B.1.c. Local governmental entities is displayed as an option.	If you indicated in the primary RU that the single state agency supervises administration of the state plan by another agency and local governmental entities conduct fair hearings with respect to eligibility based on MAGI, you need to check the option at B.1.c in the secondary RU.
Designation and Authority	Eligibility Determinations and Fair Hearings	In section C of the Designation and Authority RU (primary), if either C.2.a or C.2.b. has been <u>de-selected</u> , indicating that the single state agency no longer supervises administration of the state plan by another agency, the secondary RU – Eligibility Determinations and Fair Hearings , must be included in the submission package.	If you indicated in the primary RU that the single state agency no longer supervises administration of a state plan through a local governmental entity and you had previously indicated that local governmental entities conduct fair hearing, you need to include the secondary RU in the submission package, as the option to indicate that fair hearing authority is delegated to local governmental entities will no longer be available.
Designation and Authority	Organization and Administration	Unless the Designation and Authority RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the Organization and Administration RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package, you need to: <ul style="list-style-type: none"> • Add the primary RU to the package, complete it and validate it. • Alternatively, remove the secondary RU from the package.

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority	Organization and Administration	In section C of the Designation and Authority RU (primary), if C.2.a. has been selected, indicating that the single state agency supervises administration of the state plan by counties or local governmental entities, in the secondary RU – Organization and Administration , section D , <i>Supervision of the Administration of the State Plan through Local Government Entities</i> is displayed for completion.	If you indicated in the primary RU that the single state agency supervises administration of the state plan by county or local government agencies, you need to complete section D in the secondary RU to explain the types and number of local government entities and describe the functions they perform.
Designation and Authority	Organization and Administration	In section C of the Designation and Authority RU (primary), if C.2.b. has been selected, indicating that the single state agency supervises administration of the state plan by another state agency, in the secondary RU – Organization and Administration , section C , <i>Supervision of the Administration of the State Plan through a State Agency Other than the Medicaid Agency</i> is displayed for completion.	If you indicated in the primary RU that the single state agency supervises administration of the state plan by other state agencies, you need to complete section C in the secondary RU to explain which agencies administer the state plan and describe the functions they perform.
Designation and Authority	Single State Agency Assurances	Unless the Designation and Authority RU (primary) has either been approved in MACPro or is included, completed and validated in the submission package, the Single State Agency Assurances RU (secondary) cannot be displayed.	If the secondary RU will not display because the primary RU is neither approved in MACPro nor included in the package, you need to: <ul style="list-style-type: none"> • Add the primary RU to the package, complete it and validate it. • Alternatively, remove the secondary RU from the package.

Primary RU	Secondary RU	Nature of Dependency	Actions Needed
Designation and Authority	Single State Agency Assurances	In section C of the Designation and Authority RU (primary), if either C.2.a or C.2.b. has been selected, indicating that the single state agency supervises administration of the state plan by another state agency or a local governmental entity, in the secondary RU – Single State Agency Assurances , an additional assurance about local administration and state supervision is added.	If you indicated in the primary RU that the single state agency supervises administration of the state plan by another state agency or a local governmental entity, you need to check the assurance at A.7. in the secondary RU.

INSTRUCTIONS

A. Single State Agency

- The state name is automatically displayed based on the state associated with the user.
- At **A.2.**, indicate the state's agreement to administer the Medicaid program in compliance with this state plan, provisions of the Social Security Act and other CMS official guidance. To do this, check the box next to the assurance.
- At **A.3.**, enter the name of the single state agency in the text box provided.
- At **A.4.**, there is a statement indicating that the single state agency is designated to administer or supervise the administration of the Medicaid program under Title XIX of the Social Security Act.

B. Attorney General Certification

- Indicate that the state's Attorney General has provided certification identifying the single state agency and citing its legal authority the Medicaid program. To do this, check the box next to the assurance.
- Upload a copy of the state Attorney General's certification.

C. Administration of the Medicaid Program

- Select either **C.1.** or **C.2.** to indicate whether the single state agency is the sole administrator of the state plan or if the state is supervising the administration of the state plan by other governmental entities.
- If **C.2.** is selected, select one or more of the three options at **C.2.a.** through **C.2.c.** to indicate the nature of the shared administration of the program.
 - If option **C.2.a.** or **C.2.b.** is different from that in the prior approved or converted version of the state plan, you must include updated versions of the **Eligibility Determinations and Fair Hearings, Organization and Administration** and **Single State Agency Assurances** RUs in the current submission package.
Screen Validation: If the value has changed, a message will appear to advise that these additional RUs must be included in the submission package.
 - If the option **C.2.c.** is different from that in a prior approved or converted version of the state plan, you must include an updated version of the **Intergovernmental Cooperation Act Waivers** RU with the current submission package.
Screen Validation: If the value has changed, a message will appear to advise that this RU must be included in the submission package.

D. Additional Information (optional)

Except in limited circumstances, this field remains blank. Please consult with CMS before adding any additional information concerning this RU.

REVIEW CRITERIA

When uploading an Attorney General Certification, it must be signed by the state's Attorney General and must provide the legal authority that is the basis for the designation of the single state agency.