State of California—Health and Human Services Agency
Department of Health Care Services

JENNIFER KENT
*DIRECTOR*

EDMUND G. BROWN JR.
*GOVERNOR*

June 15, 2016

Ms. Angela Garner, Director
Division of System Reform Demonstrations
Centers for Medicare & Medicaid Services
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Baltimore, MD 21244-1850

Ms. Mehreen Hossain, Project Officer
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Ms. Henrietta Sam-Louie, Associate Regional Administrator
Division of Medicaid and Children's Health Operations
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San Francisco, CA 94103-6707

Dear Ms. Garner, Ms. Hossain, and Ms. Sam-Louie:

CALIFORNIA MEDI-CAL 2020 DEMONSTRATION (NO. 11-W-00193/9) AMENDMENT: ALLOW FEDERALLY RECOGNIZED TRIBES AND TRIBAL HEALTH PROGRAMS OPERATED UNDER A PUBLIC LAW-638 CONTRACT WITH THE FEDERAL INDIAN HEALTH SERVICES AS WHOLE PERSON CARE PILOT LEAD ENTITIES

The State of California proposes to amend the Special Terms and Conditions (STCs) of Waiver 11-W-00193/9, California Section 1115 "Medi-Cal 2020" Demonstration (Demonstration Waiver), pursuant to STC paragraph 7.

This proposed amendment would allow the Department of Health Care Services (DHCS) to expand the definition of a Whole Person Care (WPC) Pilot Lead Entity to include "Federally Recognized Tribes and Tribal Health Programs Operated under a Public Law-638 Contract with the Federal Indian Health Services." DHCS is requesting that this Demonstration Waiver amendment have an effective date of October 6, 2016, and is prepared to work diligently to respond to any questions or provide any information the Centers for Medicare and Medicaid Services (CMS) may need in order to secure prompt approval of this amendment. The October 6, 2016, effective date will

allow California to complete the WPC application review and approval process according to the current timeline.

Background
Currently WPC Pilot Lead Entities are limited to "either a county, a city and county, a health or hospital authority, or a consortium of any of the above entities." California Federally Recognized Tribe and Indian Health Program representatives recently requested that DHCS work with CMS to expand the WPC pilot program definition of a Lead Entity to include Federally Recognized Tribes and Tribal Health Programs. Expanding the definition of Lead Entity to include these entities would further the intent and goals of the Whole Person Program and this amendment would be a valuable addition to the Medi-Cal 2020 Demonstration.

Impact on Beneficiaries
The proposed amendment will allow Federally Recognized Tribes and Indian Health Programs to act in a Lead Entity role in the design, application, and operation of a WPC Pilot, which will benefit the Medi-Cal population that these entities serve by allowing the pilot to be specifically designed to serve this population.

Waiver Authority
DHCS believes the existing waivers of freedom of choice, statewideness, and comparability encompass this proposed Demonstration Waiver amendment. To the extent necessary, DHCS requests that its authority to operate under these waivers extends to the amendments contained in this request.

Expenditure Authority
This proposed Demonstration Waiver amendment will not impact the existing Waiver Expenditure Authority.

Public Notice and Tribal Notice
As required by STC Paragraph 8 and STC Paragraph 14, DHCS conducted Tribal Notice and Public Notice through the following means:

Public Notice and Processing:
Various Stakeholder Meetings. These were conducted, and will continue to be conducted, through in person meetings, webinars, and teleconferences.

Tribal Notice:
On May 10, 2016, DHCS issued a notice to all Tribal Chairpersons, Designees of Indian Health Programs, and Urban Indian Organizations regarding this proposed amendment in accordance with California's State Plan requirements for Tribal notice of Medi-Cal program proposed changes (35 days prior to submission of this amendment request to CMS).

On May 31, 2016, DHCS presented on this proposed amendment at the "Medi-Cal Tribal and Designee Quarterly Webinar Regarding Proposed Changes to the Medi-Cal Program."

*Budget Neutrality*
This proposed Demonstration amendment will not impact the Demonstration budget neutrality.

*Evaluation Design*
This proposed Demonstration amendment will not impact the Waiver WPC evaluation design as stated in STC 123.

Thank you for your assistance and consideration. DHCS is happy to assist you and your staff in any way as you review the proposed Demonstration amendment. If you have any questions, please contact: Sarah Brooks, Deputy Director, Health Care Delivery Systems, at sarah.brooks@dhcs.ca.gov.

Sincerely,

Mari Cantwell
Chief Deputy Director
Helath Care Programs