



Center for Medicaid and CHIP Services
Children and Adults Health Programs Group

March 27, 2013

Ms. Elena Nicolella
Medicaid Director
Executive Office of Health and Human Services
600 New London Avenue
Cranston, RI 02920

Dear Ms. Nicolella:

Thank you for your recent request to extend the state's Global Consumer Choice Compact section 1115 demonstration (Project No. 11-W-00242/1). The Centers for Medicare & Medicaid Services (CMS) received your extension request on March 12, 2013. On April 27, 2012, CMS issued a final rule and guidance on section 1115 demonstration projects, outlining specific elements that need to be included in a state's extension request in order for CMS to determine that the request is complete. Once an extension request has been determined complete, CMS can begin the official review process, including initiation of the 30-day federal public comment period.

We have completed a preliminary review of your extension request in accordance with the April 27th final rule. As discussed with members of your staff, we have determined that the state's extension request has not met the requirements for a complete extension request as specified under section 42 CFR 431.412(c). In particular, please provide additional information regarding: (1) the state's plan for evaluation activities during the extension period including research hypotheses and an evaluation design regarding the state's proposed revisions to the demonstration; (2) a copy of the notice that the state published in the newspaper of widest circulation; and (3) a description of any additional mechanisms, such as electronic mailing lists, the state utilized to notify interested parties of the extension application.

During our review of the state's public notice process we determined that the draft extension request the state posted for public comment on its website did not include sufficient detail regarding budget neutrality. Specifically, the notice should have provided additional information regarding projected expenditures for the extension period, cumulative expenditures, projected enrollment, and a financial analysis of the requested changes to the demonstration. Please make all of the above identified information available for public comment pursuant to the public notice requirements in 42 CFR 431.408(a)(1).

We have also determined that, based on the information provided, the state did not meet the requirements under 42 CFR 431.408(b) regarding tribal consultation. Specifically, it does not appear that the state consulted with its federally-recognized Indian tribe as required by the final

rule and the state's approved tribal consultation state plan amendment (SPA). In accordance with 42 CFR 431.408(b), please consult with your federally-recognized Indian tribe using the process outlined in the approved tribal consultation SPA.

At this time, we will not begin our 30-day federal public comment and notice process as specified under 42 CFR 431.416(b). Once we receive a revised extension request that includes the missing elements, or explains how the current request addresses the missing elements, we will conduct another preliminary review to determine if the revised request is complete. We will notify you of our determination no later than 15 days after receipt of your revised extension request.

We look forward to working with you and your staff, and are available to provide technical assistance as you revise the state's extension request. If you have additional questions or concerns, please contact your project officer Ms. Jennifer Sheer, Division of State Demonstrations and Waivers, at (410) 786-1769, or at Jennifer.Sheer@cms.hhs.gov.

Sincerely,

/s/

Diane T. Gerrits
Director
Division of State Demonstrations and Waivers

cc: Jennifer Ryan, CMCS
Richard McGreal, ARA, CMS Boston Regional Office