

Approved: December 31, 2008

Mr. Chris Traylor  
State Medicaid Director  
Texas Health and Human Services Commission  
P.O. Box 13247  
Austin, TX 78751

Dear Mr. Traylor:

We are pleased to inform you that Texas' request to amend the Texas Women's Health Waiver section 1115 demonstration has been approved in accordance with section 1115(a) of the Social Security Act, and is effective as of the date of this approval letter through December 31, 2012. Specifically, you requested to modify the demonstration by adding Current Procedural Terminology (CPT) codes to the list of services provided through this demonstration. Specifically, the new codes are:

- 99201 New Client Office Visit
- 76856 Ultrasound, pelvic (nonobstretic), real time with image documentation, complete
- 76857 Ultrasound, pelvic (nonobstretic), real time with image documentation, Complete, limited or follow-up (eg, for follicles)
- 76880 Ultrasound, extremity, nonvascular, real time with image documentation
- J7307 Implantable contraceptive rod device
- 11975 Insertion, implantable contraceptive capsules
- 11976 Removal, implantable contraceptive capsules
- 11977 Removal with reinsertion, implantable contraceptive capsules
- 84443 Thyroid stimulating hormone test
- 86695 Herpes simplex type 1
- 86696 Herpes simplex type 2
- 87252 Tissue culture inoculation, observation, and presumptive identification by cytopathic effect
- 58565 Hysteroscopy, surgical, with bilateral fallopian tube cannulation to induce occlusion by placement of permanent implants
- 74740 Hysterosalpingography, radiological supervision and interpretation
- E1399 Occlusive sterilization device
- 58340 Catheterization and introduction of saline or contrast material for saline infusion sonohysterography or hysterosalpingography

In addition, Attachment A (formerly Attachment B) to the enclosed Special Terms and Conditions (STCs) has been updated to reflect additional approved services and the

corresponding Federal Medical Assistance Percentage rate at which these services will be reimbursed.

Please be aware that by including those individuals who are eligible for family planning services under this waiver, the State is expanding the number of instances in which pharmacists, physicians, and other health care professionals would be protected by 42 U.S.C. section 300a-7(d) which provides:

No individual shall be required to perform or assist in the performance of any part of a health service program or research activity funded in whole or in part under a program administered by the Secretary of Health and Human Services if his performance or assistance in the performance of such part of such program or activity would be contrary to his religious beliefs or moral convictions.

Our approval of this demonstration project amendment is subject to the limitations specified in the expenditure authorities. The State may deviate from Medicaid State plan requirements to the extent those requirements have been listed as inapplicable to expenditures for the demonstration population.

The approval is also conditioned upon continued compliance with the enclosed STCs, defining the nature, character, and extent of anticipated Federal participation in the project. The award is subject to our receiving your written acknowledgement of the award and acceptance of the STCs and expenditure authorities within 30 days of the date of this letter.

Your contact for this demonstration is Lane Terwilliger, Esquire, who may be reached at (410) 786-2059. Ms. Terwilliger is available to answer any questions concerning the scope and implementation of your demonstration project. Communications regarding the program matters and official correspondence concerning the demonstration should be submitted to her at the following address:

Centers for Medicare & Medicaid Services  
Center for Medicaid and State Operations  
7500 Security Boulevard  
Mail Stop: S2-01-16  
Baltimore, MD 21244-1850  
Facsimile: 410-786-8534  
E-mail: Lane.Terwilliger@cms.hhs.gov

Official communications regarding program matters should be submitted simultaneously to Ms. Terwilliger and Mr. Bill Brooks, Acting Associate Regional Administrator, in the Dallas Regional Office. Mr. Brooks' address is:

Centers for Medicare & Medicaid Services  
Office of the Regional Administrator  
1301 Young Street, Room 833  
Dallas, TX 75202

We extend our congratulations to you on this award and look forward to working with you during the course of the demonstration.

Sincerely,

//s//

Kerry Weems  
Acting Administrator

Enclosures

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cc:

Bill Brooks, Acting ARA, Dallas Regional Office