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Region II
Federal Building
26 Federal Plaza
New York, N.Y. 10278

July 26, 2010

Donna Frescatore
Deputy Commissioner
New York State Department of Health
Corning Tower
Empire State Plaza
Albany, New York 12237

Dear Commissioner Frescatore:

This is to notify you that New York State Plan Amendment (SPA) #08-30 has been approved for adoption into the State Medicaid Plan with an effective date of April 1, 2008.

The SPA provides for the continuation of providing adjustments to the rates of certain freestanding diagnostic and treatment centers, for the purpose of improving recruitment and retention for non-supervisory workers or workers with direct patient care responsibility.

This SPA approval consists of 2 Pages. We are approving the following Pages which were submitted with the State's June 18, 2010 electronic submission to the CMS SPA Mailbox: Attachment 4.19-B-Pages 2(c)(vii), and 2(c)(viii). At that time, New York requested that these 2 Pages replace the Pages 2(c)(vii) and 2(c)(viii) which were originally provided with its SPA submission of June 23, 2008. This approval is for the 2 newly submitted Pages.

This amendment satisfies all of the statutory requirements at sections 1902(a)(13) and (a)(30) of the Social Security Act, and the implementing regulations at 42 CFR 447.250 and 447.272. Enclosed are copies of the SPA #08-30 and the HCFA-179, as approved.

If you have any questions or wish to discuss this SPA further, please contact Michael Melendez or Shing Jew of this office. Mr. Melendez may be reached at (212) 616-2430, and Mr. Jew's telephone number is (212) 616-2426.

Sincerely,

/s/

Sue Kelly
Associate Regional Administrator
Division of Medicaid and Children's Health

Enclosure: SPA #08-30
HCFA-179 Form

CC: JUlberg
PMossman
SUrwin
SGaskins
LTavener
GCritelli
MSamuel
SJew