

Department of Health & Human Services  
Centers for Medicare & Medicaid Services  
26 Federal Plaza, Room 37-100 North  
New York, NY 10278



September 30, 2010

Donna Frescatore  
Medicaid Director  
Office of Health Insurance Programs  
New York State Department of Health  
Corning Tower  
Empire State Plaza  
Albany, New York 12237

Dear Ms. Frescatore:

We have received a copy of Larry Reed's letter to you, in which he notified you of the approval of New York's State Plan Amendment (SPA) 10-10. This SPA expands the supplemental rebate program to include contracting with manufacturers who either do not participate in National Medicaid Pooling Initiative (NMPI) or offer rebates on certain drugs through the NMPI.

Mr. Reed advised you that the New York Regional Office would forward you the signed CMS-179 form as well as copies of the approved pages. These documents are enclosed. The revised pages of Attachment 3.1-A and 3.1-B included in your letter of July 3, 2010 have replaced the corresponding pages that were originally submitted on March 31, 2010.

Please note the approval date of the SPA is September 29, 2010 and the effective date is January 1, 2010.

If you have any questions, please contact Ana J. Balbuena (212) 616-2415.

Sincerely,

/s/

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