



DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare &
Medicaid Services

Refer to DMCH: SJ

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

February 10, 2011

Jason A. Helgerson
State Medicaid Director
Deputy Commissioner
New York State Department of Health
Corning Tower, Empire State Plaza
Albany, New York 12237

Dear Commissioner Helgerson:

This is to notify you that New York State Plan Amendment (SPA) #10-25 has been approved for adoption into the State Medicaid Plan with an effective date of January 1, 2011. The SPA provides for the continuation of increased rates of payment for private duty nursing services provided to medically fragile children in the non-institutional setting to ensure continued availability of these services to the children.

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 SPA #10-25 and the HCFA-179 form, as approved. We are using the HCFA-279 form that was provided by the State by electronic transmission to CMS on January 1, 2011.

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/

Michael J. Melendez
Acting Associate Regional Administrator
Division of Medicaid and Children's Health

Enclosure: SPA #10-25
HCFA-179 Form

CC: Julberg
PMossman
KKnuth
SGaskins
RWeaver
LTavener
TSmith
MSamuel
SJew