

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: Florida

1.4 State Medical Care Advisory Committee (42 CFR 431.12(b))

There is an advisory committee to the Medicaid agency director on health and medical care services established in accordance with and meeting all the requirements of 42 CFR 431.12.

X The State enrolls recipients in MCO, PIHP, PAHP, and/or PCCM programs. The State assures that it complies with 42 CFR 438. 104(c) to consult with the Medical Care Advisory Committee in the review of marketing materials.

Tribal Consultation Requirements

Section 1902(a)(73) of the Social Security Act (the Act) requires a State in which one or more Indian Health Programs or Urban Indian Organizations furnish health care services to establish a process for the State Medicaid agency to seek advice on a regular, ongoing basis from designees of Indian health programs, whether operated by the Indian Health Service (IHS), Tribes or Tribal organizations under the Indian Self-Determination and Education Assistance Act (ISDEAA), or Urban Indian Organizations under the Indian Health Care Improvement Act (IHCIA). Section 2107(e)(I) of the Act was also amended to apply these requirements to the Children's Health Insurance Program (CHIP). Consultation is required concerning Medicaid and CHIP matters having a direct impact on Indian health programs and Urban Indian organizations. Direct impact is defined as any Medicaid or CHIP program changes that are more restrictive for eligibility determinations, changes that reduce payment rates or payment methodologies to Indian Health Programs, Tribal Organizations, or Urban Indian Organization providers (I/T/U), reductions in covered services, changes in consultation policies, and proposals for demonstrations or waivers that may impact I/T/U providers.

02/09/12 - Florida has two known federally recognized tribes: the Miccosukee Tribe of Florida and the Seminole Tribe of Florida. Each tribe has their own Indian Health Service (IHS) program. Florida will notify the two tribes in writing 30 days in advance of the following: Medicaid Title XIX state plan amendments, an initial waiver, a waiver amendment or a waiver renewal, when it is anticipated to have a direct impact on the tribe. If no response is received from the Tribe within 30 days, Florida Medicaid will proceed with the submission to the Centers for Medicare and Medicaid Services (CMS).

This Tribal Consultation Process was finalized through two telephone conferences: February 1, 2012, with Denise Ward of the Miccosukee Tribe, and February 9, 2012, with Kathy Wilson of the Seminole Tribe. Linda Macdonald and Robin Ingram of Florida Medicaid were on the calls. Further consultation was held via formal written communication January 31, 2012, to Cassandra Osceola, Health Director, Miccosukee Tribe of Florida, and Connie Whidden, Health Director, Seminole Tribe of Florida.

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According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is **0938-1098**. The time required to complete this information collection is estimated to average 1 hour per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.