

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
JFK Federal Building, Government Center  
Room 2275  
Boston, Massachusetts 02203



**Division of Medicaid and Children's Health Operations / Boston Regional Office**

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October 14, 2009

Brenda M. Harvey, Commissioner  
Department of Health and Human Services  
11 State House Station  
Augusta, Maine 04333-0011

Dear Ms. Harvey:

We are pleased to enclose a copy of approved State plan amendment (SPA) No. 09-005 with an effective date of February 2, 2009. This SPA transmitted an amendment to your approved Title XIX State plan (1) to reduce payments to hospital-based physicians to 70.42 percent of costs from February 2 to February 21, 2009; (2) to reduce payments to non-emergency hospital-based physicians to 46.21 percent of costs effective February 21, 2009; and (3) to reimburse non-emergency room outpatient hospital-based physicians 70 percent of the Medicare fee schedule effective July 1, 2009.

We are approving this SPA as revised. We approved this SPA with an effective date of February 2, 2009 because public notice was published on February 1, 2009. 42 CFR 447.205(d)(1) requires that public notice be published before the proposed effective date. Per your agreement, we indicated in the remarks section of the Transmittal and Notice of Approval of State Plan Material (CMS-179) that the Federal budget impact figures in Box 7 should indicate net savings. We also added pages 1f-1j in Boxes 8 and 9 to indicate the page numbers of the attachment transmitted and superseded.

Should you have any questions, please contact Chong Tieng. He can be reached at 617) 565-9157.

Sincerely,

/s/

Richard R. McGreal  
Associate Regional Administrator

Enclosure

cc: Tony Marple, Director, Office of MaineCare Services