

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

November 10, 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. 09-007. This SPA is effective July 1, 2009 as requested.

SPA 09-007 transmitted a proposed amendment to your approved Title XIX State plan to provide for a Qualified State Long-Term Care (LTC) Insurance Partnership program. This permits an exception to estate recovery provisions with respect to individuals who receive benefits under LTC insurance policies sold under the Partnership program.

We are approving this SPA as revised. As you agreed, on page 53b, we removed the "X" from the box "The State adjusts or recovers from the individual's estate on account of all medical assistance paid for nursing facility and other long term care services provided on behalf of the individual. (States other than California, Connecticut, Indiana, Iowa and New York which provide long term care insurance policy – based asset or resource disregard must select this entry. These five states may either check this entry or one of the following entries.)" Electing this option is not necessary since you are providing LTC insurance partnership program under §6021 of the Deficit Reduction Act of 2005, Public Law 109-71.

As you agreed, we also revised page 53b to add the wording "The State disregards assets or resources for individuals who receive or are entitled to receive benefits under a long term care insurance policy as provided for in Attachment 2.6-A, Supplement 8b." This option is part of the original preprint.

Furthermore, as you agreed, on page 1 of Supplement 8c to Attachment 2.6-A, we deleted the statutory citation "1917(b)(1)(C)" from the first paragraph and aligned it to the left hand side of the page so it is directly below the statutory citation "1902(r)(2)". We also added the statutory citations "1905(a)(iii), (iv) and (v)" after "Aged, Blind and Disabled Medically Needy."

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Please contact Chong Tieng if there are questions. He can be reached at (617) 565-9157

Sincerely,



Richard R. McGreal *for*
Associate Regional Administrator

Enclosure

cc: Tony Marple, Director, Office of MaineCare Services