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

CENTERS for MEDICARE & MEDICAID SERVICES

September 22, 2011

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

Dear Mr. Helgerson:

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) 11-01. This SPA reflects the additional coverage by New York Medicaid of select active pharmaceutical ingredients (APIs) under the pharmacy section of the State plan to all Medicaid recipients (including full benefit dual eligible beneficiaries under the Medicare Prescription Drug, Benefit-Part D).

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 Attachments 3.1-A and 3.1.-B submitted to us on September 6, 2011 have replaced the corresponding pages that were included in the State's original SPA submission package.

Please note the approval date of the SPA is September 22, 2011 and the effective date is January 1, 2011.

If you have any questions, please contact Ana J. Balbuena at (212) 616-2410

Sincerely,

[redacted]

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH CARE FINANCING ADMINISTRATION

FORM APPROVED
OMB NO. 0938-0193

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: HEALTH CARE FINANCING ADMINISTRATION	1. TRANSMITTAL NUMBER: **11-01**	2. STATE **New York**
	3. PROGRAM IDENTIFICATION: **TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)**	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE **January 1, 2011**	

5. TYPE OF PLAN MATERIAL *(Check One)*:

☐ NEW STATE PLAN ☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN ☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT *(Separate Transmittal for each amendment)*

6. FEDERAL STATUTE/REGULATION CITATION: **NYS Public Health Law, Article 2-A** **Social Security Act, Section 1927**	7. FEDERAL BUDGET IMPACT: a. FFY **04/01/10-09/30/10 $0** b. FFY **10/01/10-09/30/11 $0**
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: **Attachment 3.1-A, Supplement Page 2(c.1)** **Attachment 3.1-B, Supplement Page 2(c.1)** **** SEE REMARKS**	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT *(If Applicable)*:

10. SUBJECT OF AMENDMENT:
Active Pharmaceutical Ingredients (APIs)
(FMAP = 58.77% effective 1/1/11; 56.88% effective 4/1/11; 50% effective 7/1/11 forward)

11. GOVERNOR'S REVIEW *(Check One)*:
☒ GOVERNOR'S OFFICE REPORTED NO COMMENT
☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL
☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL: [redacted]	16. RETURN TO: **New York State Department of Health** **Corning Tower** **Empire State Plaza** **Albany, New York 12237**
13. TYPED NAME: **Jason Helgerson**	
14. TITLE: **Medicaid Director & Deputy Commissioner Department of Health**	
15. DATE SUBMITTED: September 6, 2011	

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED: MAR 31 2011	18. DATE APPROVED: 9/22/2011
PLAN APPROVED – ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL: JAN 01 2011	[redacted]
21. TYPED NAME: **Michael Melendez**	22. TITLE: Associate Regional Administrator

23. REMARKS:

Originally submitted pages has been replaced by revised pages submitted on 9/6/11.

FORM HCFA-179 (07-92)

8. The State will cover APIs that are included in extemporaneously compounded prescriptions when the API serves as the active drug component in the compounded formulation. A current list of covered APIs can be found at the following at:

https://www.emedny.org/info/formfile.aspx

8. The State will cover APIs that are included in extemporaneously compounded prescriptions when the API serves as the active drug component in the compounded formulation. A current list of covered APIs can be found at the following at:

https://www.emedny.org/info/formfile.aspx