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**State/Territory Name: The United States Virgin Islands**

**State Plan Amendment (SPA) #: 17-0009**

This file contains the following documents in the order listed:

- 1) Regional Office approval letter
- 2) CMS-179 form
- 3) Superseding pages of State Plan Material
- 4) Approved SPA pages

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



**DIVISION OF MEDICAID AND CHILDREN'S HEALTH OPERATIONS**

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June 26, 2017

Diane Capehart, Medicaid Program Administrator  
Medicaid Program  
Department of Human Services  
41-B Marshill  
Frederiksted, VI 00840

Dear Ms. Capehart,

Enclosed is an approved copy of United States Virgin Islands' State Plan Amendment 17-0009, which was submitted to CMS on June, 16, 2017. SPA 17-0009 incorporates the Single State Agency SPA into United States Virgin Island's Medicaid State Plan in accordance with the Affordable Care Act. The effective date of this SPA is April 1, 2017.

Enclosed is a copy of the new state plan pages and attachments to be incorporated within a separate section at the end of the United States Virgin Islands' approved state plan:

- A1-A3, pages 1 to 5
- Attachment 1- Attorney General Certification
- Attachment 2- The USVIDOH Organizational Chart

In addition, enclosed is a summary of state plan pages which are superseded by SPA 17-0009.

CMS appreciates the significant amount of work your staff dedicated to this state plan amendment. If you have any questions concerning this SPA, please contact Ivelisse M. Salce at (212) 616-2411 or [Ivelisse.Salce@cms.hhs.gov](mailto:Ivelisse.Salce@cms.hhs.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Melendez".

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

Cc: Melissa Heitt  
Sarah Spector  
Stephanie Kaminsky

logged in as ISALCE(CMS RO Staff)

application rev c01

## Medicaid State Plan Eligibility

VI.3478.R00.00 - Apr 01, 2017

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## Medicaid State Plan Eligibility: VI.3478.R00.00

Document Title: Single State Agency Amendment  
Type of Request: new  
Report Status: APPROVED  
SEA Tool Approval Date: Jun 26, 2017  
Approved Effective Date: Apr 1, 2017  
Draft ID: VI.033.00.00

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**SUPERSEDING PAGES OF  
STATE PLAN MATERIAL**

**TRANSMITTAL NUMBER:**

VI-17-0009

**STATE:**

US Virgin Islands

**PAGE NUMBER OF THE PLAN SECTION OR  
ATTACHMENT:**

A1-A3 - Single State Agency

**PAGE NUMBER OF THE SUPERSEDED PLAN SECTION  
OR ATTACHMENT (*If Applicable*):**

Section 1: Page 1, 2 & 7, TN 13-001  
Attachment 1.2-A: Page 1 & 2, TN 13-001  
Attachment 1.2-B: Page 1 & 2, TN 13-001  
Attachment 1.2-C: Page 1 & 2. TN 13-001



# Medicaid Administration

State Name: U.S. Virgin Islands

OMB Control Number: 0938-1148

Transmittal Number: VI - 17 - 0009

Expiration date: 10/31/2014

## State Plan Administration Designation and Authority

A1

42 CFR 431.10

### Designation and Authority

State Name: U.S. Virgin Islands

As a condition for receipt of Federal funds under title XIX of the Social Security Act, the single state agency named below submits the following state plan for the medical assistance program, and hereby agrees to administer the program in accordance with the provisions of this state plan, the requirements of titles XI and XIX of the Act, and all applicable Federal regulations and other official issuances of the Department.

Name of single state agency: Department of Human Services

Type of Agency:

- ☒ Title IV-A Agency
- ☐ Health
- ☐ Human Resources
- ☐ Other

The above named agency is the single state agency designated to administer or supervise the administration of the Medicaid program under title XIX of the Social Security Act. (All references in this plan to "the Medicaid agency" mean the agency named as the single state agency.)

The state statutory citation for the legal authority under which the single state agency administers the state plan is:

1. Bill No. 29-0425 amending Title 19 of the Virgin Islands Code, Chapter 17# (copy attached)

The single state agency supervises the administration of the state plan by local political subdivisions.

☐ Yes ☒ No

☒ The certification signed by the state Attorney General identifying the single state agency and citing the legal authority under which it administers or supervises administration of the program has been provided.

**An attachment is submitted.**

The state plan may be administered solely by the single state agency, or some portions may be administered by other agencies.

The single state agency administers the entire state plan under title XIX (i.e., no other agency or organization administers any portion of it).

☒ Yes ☐ No

The entity or entities that have responsibility for determinations of eligibility for families, adults, and for individuals under 21 are:



# Medicaid Administration

☒ The Medicaid agency

☐ Single state agency under Title IV-A (in the 50 states or the District of Columbia) or under Title I or XVI (AABD) in Guam, Puerto Rico, or the Virgin Islands

☐ An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act

The entity that has responsibility for determinations of eligibility for the aged, blind, and disabled are:

☒ The Medicaid agency

☐ Single state agency under Title IV-A (in the 50 states or the District of Columbia) or under Title I or XVI (AABD) in Guam, Puerto Rico, or the Virgin Islands

☐ An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act

☐ The Federal agency administering the SSI program

The entity or entities that have responsibility for conducting fair hearings with respect to denials of eligibility based on the applicable modified adjusted gross income standard are:

☒ Medicaid agency

☐ An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act

☐ An Exchange appeals entity, including an entity established under section 1411(f) of the Affordable Care Act

## State Plan Administration

### Organization and Administration

A2

42 CFR 431.10

42 CFR 431.11

### Organization and Administration

Provide a description of the organization and functions of the Medicaid agency.

The Medicaid Agency is located within the Department of Human Services (DHS). The Commissioner of DHS heads the Department and has several executive office within the immediate Office of the Commissioner to include; Maintenance and Transportation, Executive Office, Planning and Development, Personnel and Labor Relations, Fiscal and Administrative Operations, Management Evaluation, Office of the Legal Counsel, Research and Resource Development, Administration Senior Citizens' Affairs, Homes and Nutrition (Home of the Aged and Nutrition for the Elderly) and Socio-Recreation. The office of the Commissioner is also responsible for conducting all Medicaid fair hearings.

In addition to the Medicaid Agency the DHS has several operating offices including; Elderly Social Services, Adult Protective Services, Lucinda Millin and Whim Gardens, Disabilities and Rehabilitation Services, Vocational Rehabilitation Services, Special Services, Children, Youth and Families, Pre-School Services, Intervention Services, Youth Promotion and Delinquency Prevention Program, Youth Rehabilitation Center, Financial Programs, Income Maintenance, Food Stamp, Energy Assistance, General Social Services, JOBS, Office of Child Care and Regulatory Services, Bureau of Licensing, Office of Intake and Emergency, and Residential Services.

The Medicaid Agency is headed by the Administrator for Public Health Insurance Services who reports to the Commissioner DHS and the Medicaid Director who reports to the Administrator. They are responsible for all Medicaid Program eligibility, reimbursement, and coverage policy and operational issues. The Medicaid Agency has two (2) Assistant Directors which head the operating components for the St. Thomas/St. John District and the St. Croix Districts. The operating components for each district mirror each other. The VI Medicaid offices performs all functions in a central office location on each island: St. Croix, St. Thomas,



# Medicaid Administration

and St. John.

The Medicaid agency is also supported by a Medicaid Management Information System (MMIS) claims processing, Virgin Islands Medicaid System (VIMS) eligibility processing, CIGNA Pharmacy Benefit Manager (PM0) for drug point of sale processing and formulary management, United Health Care for Part D processing, along with other contractors providing program and operational support to the Medicaid agency.

Upload an organizational chart of the Medicaid agency.

**An attachment is submitted.**

Provide a description of the structure of the state's executive branch which includes how the Medicaid agency fits in with other health, human service and public assistance agencies.

The Executive Branch is headed by the Governor and Lieutenant Governor who are elected by popular vote and serve for a period of four (4) years, with a mandated limit of two (2) consecutive terms. The Governor is responsible for the administration of government. He may grant pardons, reprieves, and forfeitures against local laws as well as veto legislation. He retains the powers afforded to Governors throughout the fifty (50) states of the United States. The Governor appoints cabinet officers, including the Commissioner of the Department of Human Services, with the advice and consent of the legislature.

The Department of Health and the Department of Human Services are the two public assistance Departments in the Executive Branch:

The V.I. Department of Health's (DOH) goal is to improve the health status of all Virgin Islands residents and to ensure they receive access to quality health care services. The DOH is responsible for helping each person live a life free from the threat of communicable diseases, tainted food, and dangerous products. To assist with its mission, the DOH regulates health care providers, facilities, and organizations, and manages direct services to patients where appropriate. The V.I. Department of Health consists of five (5) major divisions: Public Health Services, Health Promotion & Disease Prevention, Health Information Technology, Public Health Preparedness, and the Division of Licensure. The Division of Licensure consists of nine (9) boards which regulate all healthcare professionals in the Territory. As part of its mandate, the Department is also tasked with operating two (2) community health clinics, one (1) in each district.

Additionally, the Virgin Islands Hospital and Health Facilities Corporation was established to ensure quality, comprehensive health care to residents and visitors. The Schneider Regional Medical Center, the Myrah Keating Smith Community Health Center, and the Charlotte Kimelman Cancer Institute serve the St. Thomas and St. John District. On the island of St. Croix, the Governor Juan F. Luis Hospital and Medical Center provide both basic and critical care to a growing patient population; with services recently expanded to include a Cardiac Center.

The Department of Human Services serves as the "state agency" for publicly financed programs, including Medicaid and CHIP, that address the needs of the indigent, disabled, elderly, and low-income populations. The department also addresses the needs of the juvenile population through the Foster Care, Child Abuse and Neglect, Juvenile Justice, and Juvenile Delinquency Prevention Programs. Most recently the department was assigned oversight responsibility to end homelessness in the Territory.

The Department of Human Services, through partnership with other government departments, agencies, and other organizations, assists in the rehabilitation of individuals in order to place them in competitive employment to achieve self-sufficiency. As a result of revenue shortfalls and budget constraints in the Territory, the Medical Assistance Program was transferred from the Department of Health to the Department of Human Services to better serve the needs of the citizenry.

**Entities that determine eligibility other than the Medicaid Agency (if entities are described under Designation and Authority)**

**Remove**

Type of entity that determines eligibility:



# Medicaid Administration

- ☐ Single state agency under Title IV-A (in the 50 states or the District of Columbia) or under Title I or XVI (AABD) in Guam, Puerto Rico, or the Virgin Islands
- ☐ An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act
- ☐ The Federal agency administering the SSI program

Provide a description of the staff designated by the entity and the functions they perform in carrying out their responsibility.

Add

## Entities that conduct fair hearings other than the Medicaid Agency (if are described under Designation and Authority)

Remove

Type of entity that conducts fair hearings:

- ☐ An Exchange that is a government agency established under sections 1311(b)(1) or 1321(c)(1) of the Affordable Care Act
- ☐ An Exchange appeals entity, including an entity established under section 1411(f) of the Affordable Care Act

Provide a description of the staff designated by the entity and the functions they perform in carrying out their responsibility.

Add

## Supervision of state plan administration by local political subdivisions (if described under Designation and Authority)

Is the supervision of the administration done through a state-wide agency which uses local political subdivisions?

☐ Yes ☒ No

The types of the local subdivisions that administer the state plan under the supervision of the Medicaid agency are:

- ☐ Counties
- ☐ Parishes
- ☐ Other

Are all of the local subdivisions indicated above used to administer the state plan?

☐ Yes ☐ No

## State Plan Administration Assurances

A3

42 CFR 431.10  
42 CFR 431.12  
42 CFR 431.50

## Assurances





# Medicaid Administration

- ☒ The state plan is in operation on a statewide basis, in accordance with all the requirements of 42 CFR 431.50.
- ☒ All requirements of 42 CFR 431.10 are met.
- ☒ There is a Medical Care Advisory Committee to the agency director on health and medical services established in accordance with meeting all the requirements of 42 CFR 431.12.
- ☒ The Medicaid agency does not delegate, to other than its own officials, the authority to supervise the plan or to develop or issue policies, rules, and regulations on program matters.

Assurance for states that have delegated authority to determine eligibility:

- ☐ There is a written agreement between the Medicaid agency and the Exchange or any other state or local agency that has been delegated authority to determine eligibility for Medicaid eligibility in compliance with 42 CFR 431.10(d).

Assurances for states that have delegated authority to conduct fair hearings:

- ☐ There is a written agreement between the Medicaid agency and the Exchange or Exchange appeals entity that has been delegated authority to conduct Medicaid fair hearings in compliance with 42 CFR 431.10(d).
- ☐ When authority is delegated to the Exchange or an Exchange appeals entity, individuals who have requested a fair hearing are given the option to have their fair hearing conducted instead by the Medicaid agency.

Assurance for states that have delegated authority to determine eligibility and/or to conduct fair hearings:

- ☐ The Medicaid agency does not delegate authority to make eligibility determinations or to conduct fair hearings to entities other than government agencies which maintain personnel standards on a merit basis.

## PRA Disclosure Statement

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 0938-1148. The time required to complete this information collection is estimated to average 40 hours 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.

V.20141203