

January 17, 2025

Brian Meyer  
Deputy Secretary for Medicaid  
Florida Agency for Health Care Administration  
2727 Mahan Drive, Mail Stop 8  
Tallahassee, FL 32308

Dear Deputy Secretary Meyer:

On December 2, 2024, the Centers for Medicare & Medicaid Services (CMS) approved Florida's request for a section 1115(a) demonstration titled, "Florida Children's Health Insurance Program Eligibility Extension" (Project Number 21-W-00076/4). As required under the terms of the December 2 approval letter, Florida was required to submit written acknowledgement of the award and acceptance of the demonstration's special terms and conditions (STCs) by CMS's extended deadline of January 15, 2025, in order to effectuate the demonstration. On January 15, 2025, Florida accepted the demonstration's STCs and included a proposed modification to remove the requirement in STC 5.2 that states "Individuals may not be disenrolled from this demonstration for failure to pay the monthly premium during the individual's 12-month continuous eligibility period."

CMS is unable to accept your requested modification because it does not comply with the statute and implementing regulations for continuous eligibility for children. Sections 1902(e)(12) and 2107(e)(1)(K) of the Social Security Act, as amended by Consolidated Appropriations Act, 2023 specifically apply to coverage under state plan or waiver of the state plan. Additionally, 42 CFR 435.926 and 457.342, with which the demonstration must comply in accordance with STC 3.2 and 42 CFR 431.420(a)(1), make clear that failure to pay premiums is not a permissible exception to continuous eligibility for children.

The state may now implement the demonstration consistent with the STCs approved on December 2, 2024, and must comply with these STCs in full, including STC 5.2, in order to receive federal financial participation.



Daniel Tsai  
Deputy Administrator and Director

c: Jason Weida, Secretary, Florida Agency for Health Care Administration  
Kia Carter-Anderson, State Monitoring Lead,