

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-25-26
Baltimore, Maryland 21244-1850



State Demonstrations Group

September 19, 2024

Austin Noll, Deputy Secretary for Medicaid Policy, Quality, and Operations
Tom Wallace, Deputy Secretary for Health Care Finance and Data
Florida Agency for Health Care Administration
2721 Mahan Drive, Mail Stop 8
Tallahassee, FL 32308

Dear Deputy Secretary Noll and Deputy Secretary Wallace:

The Centers for Medicare & Medicaid Services (CMS) is notifying the state that it is delinquent in submitting monitoring reports to CMS for the Florida Medicaid Family Planning section 1115 demonstration (Project No: 11-W-00135/4), effective March 8, 2019 through June 30, 2025. This letter serves as written notice that if the state does not come into compliance with submitting the deliverables, CMS will place the state on a Corrective Action Plan (CAP) and may subsequently issue a deferral if the CAP is not achieved (per STC 10). Additionally, the state's failure to submit all required monitoring reports, evaluations, and other deliverables will be considered by CMS in reviewing any application for an extension, amendment, or for a new demonstration.

Per Special Terms and Conditions (STC) 29, the state must submit 3 Quarterly Monitoring Reports and 1 Annual Monitoring Report each Demonstration Year (DY). Quarterly monitoring reports are due to CMS no later than 60 days following the end of each demonstration quarter and the Annual Monitoring Report is due no later than 90 days following the end of the DY. The following six monitoring reports are past due and have not been submitted to CMS:

DY25Q1 Quarterly Monitoring Report due November 29, 2022
DY25Q2 Quarterly Monitoring Report due March 1, 2023
DY25Q3 Quarterly Monitoring Report due May 30, 2023
DY25 Annual Monitoring Report due September 28, 2023
DY26Q2 Quarterly Monitoring Report due February 29, 2024
DY26Q3 Quarterly Monitoring Report due May 30, 2024

CMS has offered alternative submission timelines and technical assistance for the outstanding monitoring reports; however, the state has still not submitted the above reports. Per a conversation between Jacey Cooper, Director of the State Demonstrations Group, CMS, Tom Wallace, and Austin Noll on August 23, 2024, the state has agreed to submit all monitoring reports listed in this letter by December 31, 2024. The state indicated that it will begin submitting reports by September 30, 2024, and will continue submitting reports each month for

the remainder of the year. CMS appreciatively acknowledges receipt of the DY24 Annual Monitoring Report on September 11, 2024.

If the state fails to submit one or more monitoring reports in each month, CMS will immediately place the state on a CAP within 30 days of the end of the month, consistent with STC 10.b. Should the state not comply with the CAP, per STC 10, CMS may issue deferrals in accordance with 42 CFR part 430 subpart C, in the amount of \$1,000,000 per deliverable. As noted above, this letter serves as advance written notification under STC 10.a that the state has failed to submit the above-identified deliverables timely, and CMS may initiate a CAP and subsequent deferral action in accordance with the applicable STC and regulations.

We appreciate our continued partnership with Florida on the Family Planning section 1115 demonstration. If you have any questions, please contact Danielle Daly at Danielle.Daly@cms.hhs.gov.

Sincerely,

Jacey Cooper
Director

cc: Kia Carter-Anderson, State Monitoring Lead, CMS Medicaid and CHIP Operations Group