

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 17, 2020

Ruth Johnson
State Medicaid Director
State of Louisiana, Department of Health and Hospitals
628 North 4th Street
Baton Rouge, LA 70802

Dear Ms. Johnson:

Thank you for your application for a new section 1115(a) Medicaid demonstration, titled “Louisiana Act 421 Children’s Medicaid Option” (Project Number: 11-W-00366/6). The Centers for Medicare & Medicaid Services (CMS) received Louisiana’s request on September 3, 2020. We have completed a preliminary review of your request in accordance with the requirements of 42 CFR § 431.412(a) and have determined that the state’s application meets these requirements for a complete application.

In light of the national public health emergency concerning COVID-19 and statewide social distancing guidance to prevent its spread, two virtual public hearings were held on July 22, 2020 and July 27, 2020 to solicit feedback on the state’s proposal. These meetings were permissible through CMS’ authority under 42 CFR 431.416(g)(2) which allows a state to depart from normal public notice procedures due to the unforeseen nature of the public health emergency. Under section 431.416(g)(3), in order for a state to receive an exemption under section 431.416(g)(2), the state must meet three criteria: (i) the state must be acting in good faith, and in a diligent, timely, and prudent manner; (ii) the circumstances must constitute an emergency that could not have been reasonably foreseen; and (iii) it must be the case that a delay would undermine or compromise the purpose of the demonstration and be contrary to the interests of beneficiaries. CMS has determined that the state has met these criteria.

Louisiana’s demonstration application will be posted on Medicaid.gov and the comment period will last 30 days in accordance with 42 CFR 431.416(b). The state’s application will be available at: https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers_faceted.html.

Page 2 – Ms. Ruth Johnson

We look forward to working with you and your staff on the review of this new demonstration application. If you have any questions, please contact your CMS project officer, Ms. Kathleen O'Malley, at Kathleen.OMalley@cms.hhs.gov.

Sincerely,

Angela D. Garner
Director
Division of System Reform Demonstrations

cc: Tobias Griffin, State Lead, Medicaid and CHIP Operations Group