



September 6, 2023

Ms. Diona Kristian  
Centers for Medicare and Medicaid Services  
Center for Medicaid and CHIP Services  
Division of State Demonstrations and Waivers  
7500 Security Boulevard  
Mail Stop S2-02-26  
Baltimore, MD 21244-1850

Dear Ms. Kristian,

On November 5, 2021, the Texas Health and Human Services Commission (HHSC) submitted for CMS' consideration amendment 20 to the Texas Healthcare Transformation and Quality Improvement Program (THTQIP) waiver under section 1115 of the Social Security Act.

Amendment 20 proposed to implement Senate Bill (S.B.) 1096, 86<sup>th</sup> Legislature, Regular Session, 2019, that amended Government Code §533.005 (a)(23)(L) to exempt STAR Kids members from preferred drug list (PDL) prior authorizations (PAs), with certain exceptions. HHSC proposed to waive requirements in 42 Code of Federal Regulations (CFR) §440.240, related to comparability of services for groups, because only members of the STAR Kids program would be allowed this option.

HHSC respectfully requests the withdrawal of amendment 20, effective immediately. Kathi Montalbano, Director, Federal Coordination, Rules and Committees, is the lead staff on this matter and can be contacted by telephone at 512-438-4330 or by e-mail at [kathi.montalbano@hhs.texas.gov](mailto:kathi.montalbano@hhs.texas.gov).

Sincerely,

Emily Zalkovsky  
State Medicaid Director