

## **Table of Contents**

**State/Territory Name: PA**

**State Plan Amendment (SPA) 22-0010**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-26-12  
Baltimore, Maryland 21244-1850



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**Financial Management Group**

April 19, 2022

Ms. Meg Snead, Acting Secretary  
Commonwealth of Pennsylvania  
Department of Human Services  
Office of Long-Term Living/Forum Place 6<sup>th</sup> Fl.  
Bureau of Policy Development and Communications Management  
P.O. Box 8025  
Harrisburg, PA 17105-8025

RE: State Plan Amendment (SPA) 22-0010

Dear Ms. Snead:

We have completed our review of State Plan Amendment (SPA) 22-0010. This SPA modifies Attachment 4.19-D of Pennsylvania's Title XIX State Plan. Specifically, the amendment will authorize supplemental payments to qualifying non-public nursing facilities in a county of the eighth class.

We conducted our review of this SPA according to the statutory requirements at sections 1902(a)(2), 1902(a)(13), 1902(a)(30), and 1903(a) of the Social Security Act (the Act) and the implementing Federal regulations at 42 CFR 447 Subpart C. We are approving Pennsylvania's State plan amendment with an effective date of January 9, 2022. We are enclosing the CMS-179 and the amended plan pages.

If you have any questions, or require additional information, please call Gary Knight at (304) 347-5723.

Sincerely,



Rory Howe  
Director

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL  
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2 2 — 0 0 1 0

2. STATE

PA

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT



XIX



XXI

TO: CENTER DIRECTOR  
CENTERS FOR MEDICAID & CHIP SERVICES  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

January 1, 2022

January 9, 2022

5. FEDERAL STATUTE/REGULATION CITATION

42 CFR 447.250

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)

a. FFY 2021 \$ 0

b. FFY 2022 \$ 7,159,000

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 4.19D, Part I, page 12k1 and 12k2

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (if Applicable)

Attachment 4.19D, Part I, page 12k1 and 12k2

9. SUBJECT OF AMENDMENT

Fiscal Year 2021-2022 supplementation payment for Medical Assistance nonpublic nursing facilities located in a county of the eight

10. GOVERNOR'S REVIEW (Check One)



GOVERNOR'S OFFICE REPORTED NO COMMENT



COMMENTS OF GOVERNOR'S OFFICE ENCLOSED



NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL



OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL

12. TYPED NAME

M. Snead

13. TITLE

Acting Secretary of Human Services

14. DATE SUBMITTED

February 7, 2022

15. RETURN TO

PA Department of Human Services

Office of Long-Term Living/Forum Place 6th Floor

Attention: Bureau of Policy Development and Communications

Management

P.O. Box 8025

Harrisburg, Pennsylvania 17105-8025

**FOR CMS USE ONLY**

16. DATE RECEIVED

February 7, 2022

17. DATE APPROVED

April 19, 2022

**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL

January 9, 2022

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

Rory Howe

21. TITLE OF APPROVING OFFICIAL

Director Financial Management Group

22. REMARKS

Box#4 Pen and ink change for effective date to January 9, 2022 and Box#8 supersede information with state approval.

7b. Supplementation Payment for Nonpublic Nursing Facilities in a County of the Eighth Class

The Department will make a nonpublic nursing facility supplementation payment in fiscal year 2019-2020 to qualified nonpublic nursing facilities located in a county of the eighth class. To qualify for the supplementation payment, a nonpublic nursing facility must be located in a county of the eighth class, have more than 119 beds, and a Medicaid acuity of 1.08 as of August 1, 2018. The number of beds will be the number of licensed beds as of August 1, 2018 and the Medicaid acuity will be determined using the Case Mix Index (CMI) Report for the August 1, 2018 Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

7c. Supplementation Payment for Nonpublic Nursing Facilities in a County of the Eighth Class

The Department will make a nonpublic nursing facility supplementation payment in fiscal year 2020-2021 to qualified nonpublic nursing facilities located in a county of the eighth class. To qualify for the supplementation payment, a nonpublic nursing facility must be located in a county of the eighth class, have more than 119 beds, and a Medicaid acuity of 1.09 as of August 1, 2019. The number of beds will be the number of licensed beds as of August 1, 2019 and the Medicaid acuity will be determined using the Case Mix Index (CMI) Report for the August 1, 2019 Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

A nonpublic nursing facility's supplementation payment is calculated by multiplying the supplementation per diem by the number of paid MA facility and therapeutic leave days for the prior fiscal year. The supplementation per diem will be calculated by dividing the total funds available by the total number of paid MA facility and therapeutic leave days for the prior fiscal year for qualifying facilities.

7d. Supplementation Payment for Nonpublic Nursing Facilities in a County of the Eighth Class

The Department will make a nonpublic nursing facility supplementation payment in fiscal year 2021-2022 to qualified nonpublic nursing facilities located in a county of the eighth class. To qualify for the supplementation payment, a nonpublic nursing facility must be located in a county of the eighth class, have more than 119 beds, and a Medicaid acuity of 1.04 as of August 1, 2020. The number of beds will be the number of licensed beds as of August 1, 2020 and the Medicaid acuity will be determined using the Case Mix Index (CMI) Report for the August 1, 2020 Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

A nonpublic nursing facility's supplementation payment is calculated by multiplying the supplementation per diem by the number of paid MA facility and therapeutic leave days for the prior fiscal year. The supplementation per diem will be calculated by dividing the total funds available by the total number of paid MA facility and therapeutic leave days for the prior fiscal year for qualifying facilities.

The state funds allocated for nonpublic nursing facilities for a FY is as follows:

FY 2019-2020 is \$5,000,000

FY 2020-2021 is \$5,000,000

FY 2021-2022 is \$5,000,000