

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF MEDICAL SERVICES

700 GOVERNORS DRIVE

PIERRE, SD 57501-2291

PHONE: 605-773-3495

FAX: 605-773-5246

WEB: dss.sd.gov



February 4, 2014

Richard Allen
Associate Regional Administrator
Centers for Medicare and Medicaid Services
1600 Broadway, Suite 700
Denver, CO 80202

Re: South Dakota Medicaid State Plan Amendment SD-14-01

Dear Mr. Allen:

Please find enclosed South Dakota's Medicaid State Plan Amendment (SPA) SD-14-01. This SPA proposes to revised page 55 of Section 4.18 of the South Dakota Medicaid State Plan concerning cost sharing for individuals eligible for coverage under 42 CFR §435.213.

This amendment exempts individuals eligible under the Breast and Cervical Cancer Medical Program from cost sharing as required by 42 CFR §447.56(a)(1)(xi). South Dakota requests an effective date of January 1, 2014. The Department estimates there will be a federal fiscal impact of \$10,937.52 in FFY14 and \$14,583.36 in FFY15 associated with this SPA.

The State conducted Tribal Consultation beginning with notification on December 31, 2013. We have attached a copy of the notification sent to the Tribes. Public notice was published on the South Dakota Legislature's *REGISTER*, <http://legis.sd.gov/docs/rules/Register/12302013.pdf>, on December 30, 2013. We received no comments.

If you have any questions regarding this package, please contact Ann Schwartz, Assistant Director of the Division of Medical Services, 700 Governors Drive, Pierre, SD 57501-2291, e-mail: ann.schwartz@state.sd.us, telephone (605)773-3495.

Sincerely,

A handwritten signature in cursive script that reads 'Kim Malsam-Rysdon'.

Kim Malsam-Rysdon
Cabinet Secretary

CC: Kirby L. Stone, State Medicaid Director
Lynne Valenti, Deputy Secretary

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER: SD-14-01	2. STATE: South Dakota
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	

TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE January 1, 2014
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5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION: 42 CFR §447.56(a)(1)(xi)	7. FEDERAL BUDGET IMPACT: a. FFY 2014: \$ 10,937.52 b. FFY 2015: \$ 14,583.36
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8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Page 55, Section 4.18	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Page 55, Section 4.18
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10. SUBJECT OF AMENDMENT:
Exempts individuals eligible under the Breast and Cervical Cancer Program from cost sharing.

11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED:
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: DEPARTMENT OF SOCIAL SERVICES DIVISION OF MEDICAL SERVICES 700 GOVERNORS DRIVE PIERRE, SD 57501-2291
13. TYPED NAME: Kim Malsam- Rysdon	
14. TITLE: Cabinet Secretary	
15. DATE SUBMITTED: February 4, 2014	

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:	18. DATE APPROVED:
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PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:	20. SIGNATURE OF REGIONAL OFFICIAL:
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21. TYPED NAME:	22. TITLE:
------------------------	-------------------

23. REMARKS:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
State/Territory: SOUTH DAKOTA

SECTION 4. GENERAL PROGRAM ADMINISTRATION

Citation

4.18 Recipient Cost Sharing and Similar Charges (continued)

42 CFR 447.51 through
447.58

(b) (2) (continued)

(iii) All services furnished to pregnant women.

X Not applicable. Charges apply for services to pregnant women unrelated to the pregnancy.

(iv) Services furnished to any individual who is an inpatient in a hospital, long-term care facility, or other medical institution, if the individual is required, as a condition of receiving services in the institution, to spend for medical care costs all but a minimal amount of his or her income required for personal needs.

(v) Emergency services if the services meet the requirements in 42 CFR 447.53(b)(4).

(vi) Family planning services and supplies furnished to individuals of childbearing age.

(vii) Services furnished by a health maintenance organization in which the individual is enrolled.

Section 1916(a) and (b) of the Act P.L. 99-272 (section 9505)

(viii) Services furnished to an individual receiving hospice care, as defined in section 1905(o) of the Act.

(ix) Services furnished to individuals who are receiving Medicaid under 42 CFR 435.213.

Aker, Sarah

From: Schwartz, Ann
Sent: Tuesday, December 31, 2013 3:18 PM
To: 'Adele White (awhite@standingrock.org)'; 'Anthony Wounded Head (tonywh@oglala.org)'; 'Ardys Cook (ardys.cook007@yahoo.com)'; 'Arlene Blackbird (arlene.blackbird@ihs.gov)'; 'Barbara Broomfield (barbbroomfield@rushmore.com)'; 'Bernita In The Woods (bernita.inthewoods@ihs.gov)'; 'Beverly Tuttle (banntuttle@gmail.com)'; 'Bill Carr (william.carr@ihs.gov)'; 'Bonnie Cromwell (bonnie.cromwell@sduih.org)'; Bryan Brewer; 'Cecelia Spotted Tail (bspott4@yahoo.com)'; 'Cecilia Fire Thunder (cecelia.firethunder@gptchb.org)'; Cecilia FireThunder; 'Charlee Archambault (charleearchambault@gwtc.net)'; 'Cheryl Ann Kary (ckary@standingrock.org)'; Cindy Washakie; 'Clara Lebeau (clara.lebeau@ihs.gov)'; 'Clarence Montgomery (birds2002@yahoo.com)'; 'Claudine Begay (begay_dina@hotmail.com)'; 'Craig Dillon (cldillon@hotmail.com)'; 'Dale Buckles (dale.buckles@ihs.gov)'; 'Dayle Knutson (dayle.knutson@ihs.gov)'; 'Debbie Blue Bird (dbluebird@oglala.org)'; 'Deleen Kougl (deleen.kougl@ihs.gov)'; 'Dixie Gaikowski (Dixie.Gaikowski@ihs.gov)'; 'Donn Fire Thunder (dfirethunder@oglala.org)'; 'Duane Big Eagle (roz_lock_2001@hotmail.com)'; Ed Parsells; 'Ella "John" Carlow (ejcarlow@hotmail.com)'; Ellen Durkin; 'Ellen Rogers (ellen.rogers@sduih.org)'; 'Elton Grey Bull (egreybull@standingrock.org)'; 'Eric Big Eagle (walilama73@hotmail.com)'; 'Gloria One Feather (gloria@oglala.org)'; 'Irving Provost (irvpro7@hotmail.com)'; 'Jenny Jeffries (jenny.jeffries@ihs.gov)'; 'Jerilyn Church (jerilyn.church@gptchb.org)'; Jesse Abernathy; 'Jesse Taken Alive (jtakenalive@standingrock.org)'; 'Jim Meeks (jim@oglala.org)'; 'John Eagle Shield (srchr@westriv.com)'; 'John Schuchardt (jon.schuchardt@ihs.gov)'; 'Joseph Rosales (walksunderground@yahoo.com)'; 'Karla Kirkpatrick (karla.kirkpatrick@sduih.org)'; 'Kathaleen Gordon'; 'Kathey Wilson (kathey.wilson@ihs.gov)'; 'Kathy Janis (KDJanis@gwtc.net)'; 'Kira LeCompte (kira.lecompte@ihs.gov)'; 'LeLewis Gipp (lelewis.gipp@ihs.gov)'; Gibbons, Linette; 'Lisa (Brooks) Forney (lbrooks@oglala.org)'; 'Lisa Dillon (lisadillon@gmail.com)'; 'Lisa Schlosser (lisa.schlosser@ihs.gov)'; 'Lynette Lesminster-Huber (lhuber.crstlegtech@gmail.com)'; 'Lynn Big Eagle (lynn.bigeagle@gptchb.org)'; 'Madonna Long (madonna.long@ihs.gov)'; Marcida Eagle Bear; 'Marietta Little Thunder (marietta.littlethunder@ihs.gov)'; 'Marjorie Winters (marjorie.winters@ihs.gov)'; 'Mason Big Crow (mason@oglala.org)'; lakotanetwork.com, Miller; 'Nicole Many Horses (nmanyhorses@standingrock.org)'; 'Norman Running (nrunning@hotmail.com)'; 'President Anthony Reider (president@fsst.org)'; 'Ralph Young (rasems@gwtc.net)'; 'Rick Sorensen (rick.sorensen@ihs.gov)'; 'Robert Cournoyer (bobbycournoyer@yahoo.com)'; 'Rose Mendoza (rmendoza@standingrock.org)'; 'Sarah Reynolds (sarahreynolds879@hotmail.com)'; 'Scott Weston (tsweston@gwtc.net)'; 'Sioux Red Bear (sioux.redbear@ihs.gov)'; 'Sonia Weston (soniaw@gwtc.net)'; Tammy Lovejoy; 'Terry Friend (terry.friend@ihs.gov)'; 'Tracey Castaway (tcastaway@standingrock.org)'; 'Tricia Birdnecklace (tricia.birdnecklace@ihs.gov)'; Tricia Knight; 'Vickie Claymore-LaHammer (vickie.claymore-lahammer@ihs.gov)'; 'Winfield Rondell (secretary@swo-nsn.gov)'
Subject: SD SPA 13-24 Tribal Consultation
Attachments: SD 13-24 Tribal Consultation Packet.pdf

Good afternoon,

Attached are documents that comprise the Department of Social Services' proposed Medicaid State Plan Amendment concerning cost sharing for individuals eligible under the Breast and Cervical Cancer Medical Program. The enclosed State Plan Amendment (SPA) eliminates cost sharing for individuals eligible for Medicaid under the Breast and Cervical Cancer Medical Program as required by 42 CFR 447.56(a)(xi). The proposed amendment revises page 55 of Section 4.18 of the South Dakota Medicaid State Plan.

Please contact me within 30 days if you have any questions.

Thank you,
Ann Schwartz, Assistant Director
Division of Medical Services
Phone: 605-773-3495
Fax: 605-773-5426

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF MEDICAL SERVICES

700 GOVERNORS DRIVE

PIERRE, SD 57501-2291

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December 31, 2013

RE: South Dakota Medicaid State Plan Amendment #SD-13-24

The South Dakota Department of Social Services intends to make changes to the South Dakota Medicaid State Plan concerning cost sharing for individuals eligible under the Breast and Cervical Cancer Medical Program. The enclosed State Plan Amendment (SPA) eliminates cost sharing for individuals eligible for Medicaid under the Breast and Cervical Cancer Medical Program as required by 42 CFR 447.56(a)(xi). The proposed amendment revises page 55 of Section 4.18 of the South Dakota Medicaid State Plan.

We intend to make this SPA effective January 1, 2014. The Department estimates there will be a federal fiscal impact of \$10,937.52 in FFY14 and \$14,583.36 in FFY15 associated with this SPA.

Please contact me within 30 days of receipt of this message with any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads 'Ann Schwartz'.

Ann Schwartz
Assistant Director
Division of Medical Services
South Dakota Department of Social Services

CC: Kim Malsam-Rysdon, Cabinet Secretary
Kirby L. Stone, State Medicaid Director
Lynne Valenti, Deputy Secretary

Medicaid State Plan Amendment Proposal

Transmittal Number: SD-13-24

Effective Date: 01/01/2014

Brief Description: Eliminates cost sharing for individuals eligible under the Breast and Cervical Cancer Medical Program.

Area of State Plan Affected: Section 4.18

Page(s) of State Plan Affected: Page 55

Estimate of Fiscal Impact, if Any: FFY14: \$10,937.52
FFY15: \$14,583.36

Reason for Amendment: Compliance with federal cost sharing rules.

REGISTER



South Dakota Legislative Research Council

Volume 40

Monday, 8:00 a.m., December 30, 2013

NOTICE OF PROPOSED RULES: (None)

NOTICE:

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning cost sharing for individuals eligible under the Breast and Cervical Cancer Medical Program effective January 1, 2014, as required by federal rule. The proposed State Plan Amendment (SPA) eliminates cost sharing for individuals eligible for Medicaid under the Breast and Cervical Cancer Medical Program as required by 42 CFR 447.56(a)(xi). The proposed amendment revises page 55 of Section 4.18 of the South Dakota Medicaid State Plan. The Department estimates there will be a federal fiscal impact of \$10,937.52 in Federal Fiscal Year 2014 and \$14,583.36 in Federal Fiscal Year 2015. Written requests for a copy of these changes, and corresponding comments, may be sent to Kirby Stone, State Medicaid Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning presumptive eligibility determinations by hospitals effective January 1, 2014, as required by federal rule. The proposed State Plan Amendment (SPA) defines the presumptive eligibility period and the criteria for hospitals making presumptive eligibility determinations. This SPA is required by the Centers for Medicare and Medicaid (CMS) under 42 CFR 435.1110. The proposed amendment adds page S21 to the South Dakota Medicaid State Plan. The Department estimates

there will be no federal fiscal impact associated with this SPA. Written requests for a copy of these changes, and corresponding comments, may be sent to Kirby Stone, State Medicaid Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

**DEPARTMENT OF AGRICULTURE:
STATE BRAND BOARD:** 12:10:03:01 to 12:10:03:09, inclusive.

History-Notice: 40 SDR 86, Nov. 4, 2013
Hearing: November 20, 2013
Filed: December 20, 2013
Effective: January 9, 2014

Executive Appointments:

Dennis Darrington, Waubay, was reappointed on December 19, 2013, to the **Governor's Commission on Fort Sisseton**, effective immediately and shall continue until November 24, 2017.

Karen DeVine, Britton, was reappointed on December 19, 2013, to the **Governor's Commission on Fort Sisseton**, effective immediately and shall continue until November 24, 2017.

Tim Dougherty, Sioux Falls, was appointed on December 19, 2013, to the **Transportation Commission**, to replace Michael McDowell, effective immediately and shall continue until April 18, 2014.