



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10434 #15]

Medicaid and Children's Health Insurance Program (CHIP) Generic Information

Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: On May 28, 2010, the Office of Management and Budget (OMB) issued Paperwork Reduction Act (PRA) guidance related to the “generic” clearance process. Generally, this is an expedited process by which agencies may obtain OMB’s approval of collection of information requests that are “usually voluntary, low-burden, and uncontroversial collections,” do not raise any substantive or policy issues, and do not require policy or methodological review. The process requires the submission of an overarching plan that defines the scope of the individual collections that would fall under its umbrella. This **Federal Register** notice seeks public comment on one or more of our collection of information requests that we believe are generic and fall within the scope of the umbrella. Interested persons are invited to submit comments regarding our burden estimates or any other aspect of this collection of information, including: the necessity and utility of the proposed information collection for the proper performance of the agency’s functions, the accuracy of the estimated burden, ways to enhance the quality, utility and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by [INSERT DATE 14 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: When commenting, please reference the applicable form number (CMS-10434 #15) and the OMB control number (0938-1188). To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address:
CMS, Office of Strategic Operations and Regulatory Affairs
Division of Regulations Development
Attention: CMS-10434 #15/OMB control number: 0938-1188
Room C4-26-05
7500 Security Boulevard
Baltimore, MD 21244-1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser:

<https://www.cms.gov/medicare/regulations-guidance/legislation/paperwork-reduction-act-1995/pralisting>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at 410-786-4669.

SUPPLEMENTARY INFORMATION: Following is a summary of the use and burden associated with the subject information collection(s). More detailed information can be found in the collection's supporting statement and associated materials (see **ADDRESSES**).

Generic Information Collection

1. *Title:* Medicaid State Plan Eligibility; *Type of Information Collection Request:* Revision of a currently approved collection; *Use:* This iteration proposes substantive changes to the Citizenship and Noncitizen Eligibility SPA template (RU S89) related to section 71109 of the

Working Families Tax Cut (WFTC) legislation which limits federal financial participation (FFP) for full Medicaid coverage, with limited exceptions, to individuals who are U.S. citizens or nationals or in only three groups of noncitizens, including lawful permanent residents (LPRs), Cuban/Haitian entrants, or COFA (Compact of Free Association) migrants, who CMS refers to as “FFP-eligible noncitizens.”

The revised template includes a required attestation that the state will provide emergency coverage for the care and services necessary for the treatment of an emergency medical condition (often referred to as “emergency Medicaid”), and State option to provide medical assistance to lawfully residing children and pregnant women (often referred to as the “CHIPRA 214 option”).

Section 71109 of the WFTC legislation did not change emergency Medicaid or the CHIPRA 214 option and provides that expenditures for emergency Medicaid are excepted from the FFP limitations.

The template also proposes to add another required attestation that the State will provide coverage during a reasonable opportunity period (ROP) pending verification of U.S. citizenship/national status/satisfactory immigration status, as well as State options related to extending the ROP for noncitizens, which is unchanged by section 71109.

Form Number: CMS-10434 #15 (OMB control number: 0938-1188); *Frequency:* One time and on occasion; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 56; *Total Annual Responses:* 56; *Total Annual Hours:* 1,120. (For policy questions regarding this collection contact: Abby Kahn at 410-786-4321.)

William N. Parham, III

Director,

Division of Information Collections and Regulatory Impacts,

Office of Strategic Operations and Regulatory Affairs.

