

**CMS Regulations update 1/2/2009**

Title	CMS File Code	Fed. Reg. Date & Comment Due Date	Document ID:	Actions	Brief Summary of Proposed rule
<p><b>Final Rule:</b> Medicaid Program; Premiums and Cost Sharing.</p> <p><a href="#">PDF</a> <a href="#">Federal Register 11 25 08</a></p>	<p>CMS-2244-F</p>	<p>11/25/08</p> <hr/> <p>Effective 60 days after publication: 1/26/09</p>	<p><a href="#">Georgetown report on Cost Sharing</a></p> <p><a href="#">New Medicaid Rules Allow States to Set Premiums and Higher Co-Payments - NYTimes.com</a></p>	<p><a href="#">TTAG comments to the proposed rule, 3/24/08</a></p> <p><b>See: Summary of Medicaid Cost Sharing_CMS response document. (attached)</b></p>	<p>This final regulation implements sections 6041 - 6043 of the DRA and section 405(a) of the Tax Relief and Health Care Act (TRHC) of 2006, which provides State Medicaid Agencies with increases flexibility to implement premium and cost sharing requirements for certain Medicaid recipients.</p>
<p><b>Final Rule:</b> Medicaid Program; State Flexibility for Medicaid Benefit Packages; Final Rule.</p> <p><a href="#">PDF</a> <a href="#">CMS Press Release</a></p>	<p>CMS-2232-F</p>	<p>12/3/08</p> <hr/> <p>Effective Date: 2/2/09</p>	<p>CMS_FRDOC_00 01-0196</p>	<p><a href="#">TTAG comments on proposed rule 3/24/08</a></p> <p><b>See Summary of Medicaid Program; State Flexibility for Medicaid Benefit_CMS response Document (attached)</b></p>	<p>.Rule will implement provisions of section 6044 of the Deficit Reduction Act of 2005, which amends the Social Security Act by adding a new section 1937 related to the coverage of medical assistance under approved State plans. It also provides States increased flexibility under an approved State plan to define the scope of covered medical assistance by offering coverage of <a href="#">benchmark or benchmark-equivalent benefit packages</a> to certain Medicaid recipients.</p>
<p><b>Final Rule:</b> Medicaid Program; State Option to Establish Non-Emergency Medical Transportation Program</p> <p><a href="#">PDF of Display Document</a></p> <p><a href="#">PDF of Published FR Document</a></p>	<p>(CMS-2234-F)</p>	<p>12/19/08 in FR</p> <hr/> <p>Effective Date: 1/20/09</p>		<p><b>NIHB is in the process of analyzing this rule.</b></p>	<p>This final rule implements section 6083 of the Deficit Reduction Act of 2005, which provides States with additional State plan flexibility to establish a NEMT brokerage program, and to receive the Federal medical assistance percentage matching rate. This authority supplements the current authority that States have to provide NEMT to Medicaid beneficiaries who need access to medical care, but have no other means of transportation..</p>

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<p><b><u>Moratorium on CMS Regs:</u></b></p> <p><b>Public Law 110-252:</b> Signed into law 6/30/08. TITLE VII Sec. 7001, Extended Moratoria on six CMS regulations until April 1, 2009.</p> <p><a href="#">PL 110-252 PDF</a></p>					<p>The six regulations under moratorium:</p> <p><b>1.School-Based Services</b> 72 Fed. Reg. 73635 (Dec. 28, 2007) <a href="#">PDF</a></p> <p><b>2.Rehabilitation Services</b> 72 Fed. Reg. 45201 (Aug. 13, 2007) <a href="#">PDF</a></p> <p><b>3. Targeted Case management</b> 72 Fed. Reg. 68077 (Dec. 4, 2007) <a href="#">PDF</a></p> <p><b>4. Hospital Costs Limits</b> 72 Fed. Reg. 29748 (May 29, 2007) <a href="#">PDF</a></p> <p><b>5. Graduate Medical Education</b> 72 Fed. Reg. 28930 (May 23, 2007) <a href="#">PDF</a></p> <p><b>6. Provider Tax</b> 73 Fed. Reg. 9685 (Feb, 22, 2008) <a href="#">PDF</a></p>
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