



Division of Medicaid & Children's Health, Region VI

June 23, 2010

Our Reference: SPA TX 10-016

Mr. Billy Millwee
Associate Commissioner for Medicaid & CHIP
Health and Human Services Commission
Post Office Box 13247
Mail Code: H100
Austin, Texas 78711

Dear Mr. Millwee:

We have reviewed the State's proposed amendment to the Texas State Plan submitted under Transmittal Number 10-016, dated March 30, 2010. This amendment updates the Early Childhood Intervention (ECI) Targeted Case Management (TCM) under Infants and Toddlers with Developmental Delays rate by an inflation factor of 24 percent.

As previously communicated to the State, CMS is issuing a companion letter in conjunction with our approval of SPA 10-16 in which we request the State to clarify coverage issues relating to ECI TCM. It was determined that certain areas in the coverage section were not consistent with current guidance and regulations at 42 CFR 441.18. Please be mindful of the timeframes referenced in the companion letter.

Additionally, please note that when the State submits a State Plan Amendment (SPA) that may impact Indians or Indian health providers, CMS will look for evidence of the State's Tribal consultation process for that SPA. Pursuant to the new section 1902(a) (73) of the Act added by section 5006(e) of the American Recovery and Reinvestment Act (ARRA) of 2009, the State must submit evidence to CMS regarding the solicitation of advice prior to submission of the State Plan Amendment. Such consultation must include all federally-recognized tribes, Indian Health Service and Urban Indian Organizations within the State.

Based on the information submitted, we have approved the amendment for incorporation into the official Texas State Plan with an effective date change of March 15, 2010. A copy of the CMS-179 and the approved plan pages are enclosed with this letter.

If you have any questions, please contact Ford J. Blunt at (214) 767-6381.

Sincerely,

Bill Brooks
Associate Regional Administrator

Enclosures

Cc: Emily Zalkovsky, Policy Development Support