

HPMS E-Mail

Date: August 04, 2017

Subject: D-SNP State Medicaid Agency Contract - Update

It has come to our attention that certain D-SNPs have received disparate results with regard to the State Medicaid Agency Contract (SMAC) reviews. Specifically, a deficiency related to the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) Element 3, which requires a SMAC to specify the Medicaid benefits covered by the State Plan, has been inconsistently identified within the SMAC review notices that were issued on July 24. The deficiency, where cited, stated the following:

“The contract failed to adequately document the Medicaid benefits covered under the SNP. The applicant must revise its State Medicaid Agency Contract to include the required information on benefit design and administration as well as assigning plan responsibility to provide or arrange for this benefit. If the list of services is an attachment to the contract, the plan must reference the list in the body of the contract.”

If this deficiency was cited for your contract(s), and was the **sole** deficiency identified in the notice you received, you do not need to upload a modified SMAC. We intend to mark this deficiency as “MET,” and no further action on your part is necessary. If, however, your notice identified other deficiencies associated with the SMAC, those deficiencies still apply and you are expected to address those deficiencies and upload a compliant SMAC by the August 21 deadline. Please note that we are currently reassessing our review process specific to MIPPA Element 3; we intend to further clarify our guidance and expectations with respect to this element for Contract Year 2019.

In addition, we wish to clarify our expectations regarding uploads expected from D-SNPs that received a deficiency because they attested that they do not have an existing, executed contract(s) with the State Medicaid Agency in the state(s) in which they intend to operate for the MA application year. CMS expects a fully executed contract to be uploaded by the August 21 deadline; the upload of a negotiation status document would not suffice.

Please direct any questions you may have regarding the content of this email to the DMAO portal at: <https://dmao.lmi.org> using the “Special Needs Plans” tab.