



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

MEMORANDUM

DATE: October 28, 2011

TO: Ms. Sharon L. Summers, DMMA
Planning & Policy Development Unit

FROM: Wendy Strauss, ^{WS/KC} Vice-Chairperson
State Council for Persons with Disabilities

RE: 15 DE Reg. 435 [DMMA Proposed Medicaid Asset Verification System
Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Medicaid and Medical Assistance's (DMMA's) proposal to adopt a Medicaid State Plan amendment to conform to federal law. Specifically, Delaware has been scheduled by CMS to implement an electronic asset verification system in 2013. The regulation was published as 15 DE Reg. 435 in the October 1, 2011 issue of the Register of Regulations. SCPD has the following observation.

The proposed amendment suggests that DMMA plans to use a contractor to operate the asset verification system which includes interaction with local banks. However, DMMA indicates that "(t)he contractor is not known at this time." See amendment, Par. 3. In Section 2, it appears that DMMA should be checking off Par. "B" since it is adopting a contractor-based approach as juxtaposed to the other available options. However, Par. B contains no "check-off". DMMA should consider whether this is an oversight.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observation on the proposed regulation.

cc: Ms. Rosanne Mahaney
Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

15reg435 dmma-asset verification 10-28-11