MEMORANDUM

DATE: November 30, 2010

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

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 14 DE Reg. 363 [DMMA Proposed Citizenship, Alienage Regulations]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Medicaid and Medical Assistance's (DMMAs) proposal to amend its Citizenship and Alienage regulation published as 14 DE Reg. 363 in the November, 1, 2010 issue of the Register of Regulations. As background, in April 2010, SCPD endorsed (subject to one amendment) a DMMA regulation extending Medicaid and CHIP coverage to some classes of pregnant women and children based on a change in federal law. DMMA then adopted the regulation in June with the recommended amendment. [13 DE Reg. 1540 (June 1, 2010)] CMS subsequently issued guidance via the State Health Official Letter #10-006 (July 1, 2010). The guidance includes a model State Plan amendment. DMMA is now revising the regulation adopted in June to conform to the latest guidance. DMMA has also submitted a revised State Plan amendment to CMS based on the model.

SCPD endorses the proposed amendment since the original regulation expanded health care coverage while diverting some beneficiaries from a State-funded program to federally-subsidized programs, and since the technical revisions are designed to conform to federal guidance.

Thank you for your consideration and please contact SCPD if you have any questions or comments.

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

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