



**STATE OF DELAWARE**  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
Margaret M. O'Neill Bldg., Suite 1  
Dover, Delaware 19901  
302-739-3621

The Honorable John Carney  
Governor

John A. McNeal  
Director

**MEMORANDUM**

DATE: February 27, 2019

TO: Ms. Nicole Cunningham, DMMA  
Planning, Policy and Quality Unit,

FROM: Mr. J. Todd Webb - Chairperson  
State Council for Persons with Disabilities

RE: 22 DE Reg. 668 [DHSS/DMMA Final Regulation Regarding MAGI Methodology  
(2/1/19)]

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) final regulation to amend Title XIX Medicaid State Plan and the DMMA Provider Policy Specific Manual regarding chiropractic services, specifically, to remove annual numerical limitations placed on chiropractic care visits for the purpose of treating back pain. This amendment is meant to align with Senate Bill 225 which was signed on 9/10/18 and relates to insurance coverage for the treatment of back pain. The Act encourages the use of proven non-opioid methods of treating back pain by prohibiting numerical limits of chiropractic care. The proposed regulation was published as 22 DE Reg. 566 in the January 1, 2019 issue of the Register of Regulations.

SCPD endorses the proposed regulation since it expands access to alternative pain care treatment options.

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

cc: Mr. Steve Groff, DMMA  
Ms. Laura Waterland, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council