



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of
Health and Social Services

DIVISION OF HEALTH CARE SERVICES
Director's Office

4501 Business Park Blvd., Suite 24, Bldg L
Anchorage, Alaska 99503-7167
Main: 907.334.2400
Fax: 907.561.1684

October 11, 2013

Dear Tribal Health Leader,

Thank you for your response (dated October 9, 2013) to our MAGI related tribal consultation letter (dated September 9, 2013).

I would like to take this opportunity to clarify that, at this time, the State of Alaska is not altering current eligibility rules outside the required MAGI conversions and associated grouping of eligibility categories.

The AI/AN protections identified in responses are not specifically listed in the MAGI SPAs. The AI/AN protections are listed in federal Medicaid regulations at 42 CFR 435.603(e)(3), and the first paragraph in the MAGI SPA A1 requires the State of Alaska to follow all applicable Federal regulations. It reads as follows:

“As a condition for receipt of Federal funds under title XIX of the Social Security Act, the single state agency named below submits the following state plan for the medical assistance program, and hereby agrees to administer the program in accordance with the provisions of this state plan, the requirements of titles XI and XIX of the Act, and **all applicable Federal regulations** and other official issuances of the Department.”

We appreciate ability to consult, and our letter does comply with the current Tribal consultation policy that establishes that consultation timeframes as follows:

“The Department will request consultation at the earliest opportunity, no later than 60 days in advance of submission to the Centers for Medicare and Medicaid (CMS) to give appropriate tribal contact(s) adequate time to consider and respond to the impact of the communication. The tribal health programs and IHS should submit written comment within 30 days so the Department has time to review and incorporate changes as deemed appropriate.”

Thank you, again, for your input in the consultation process.

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Sincerely,

A handwritten signature in blue ink, appearing to be 'Gennifer Moreau', written in a cursive style.

Gennifer Moreau
Medicaid State Plan Coordinator

Cc: