

**U.S. House and Senate Notification**  
**Thursday, September 16, 2010**

**To:** Congressional Health Staff

**From:** Amy Hall  
Director, Office of Legislation  
Centers for Medicare & Medicaid Services

**Subject:** Review and Approval Process for Section 1115 Medicaid  
Demonstration Programs – Notice of Proposed Rulemaking

Today the Centers for Medicare & Medicaid Services (CMS) announced a notice of proposed rulemaking establishing transparency and public notice and comment procedures for experimental, pilot, and demonstration projects approved under section 1115 of the Social Security Act for Medicaid and the Children's Health Insurance Program (CHIP). The proposed rule, which includes a 60-day comment period, implements the provisions of section 10201(i) of the Affordable Care Act.

The Affordable Care Act requires that CMS issue regulations establishing processes to ensure meaningful input into the development of State demonstration projects, as well as in the Federal review and approval of State demonstration applications and renewals. The Affordable Care Act also requires periodic evaluations and implementation reports to ensure that information on the outcomes of demonstration projects is available to the public.

The proposed rule assures that information about Medicaid and CHIP demonstration applications and approved demonstration projects is publicly available to promote greater transparency and public input into the development, review and approval of demonstrations at both the State and Federal levels. The proposed rule is designed to assure that the development and review of demonstration proposals proceed in a timely and responsive manner.

The proposed rule is available today only at [http://www.ofr.gov/OFRUpload/OFRData/2010-23357\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2010-23357_PI.pdf) and will be published in the Federal Register tomorrow, September 17, 2010, at: [http://www.access.gpo.gov/su\\_docs/fedreg/frcont10.html](http://www.access.gpo.gov/su_docs/fedreg/frcont10.html)

If you have any questions, please contact the CMS Office of Legislation. Thank you.