

**U.S. House and Senate Notification**  
**Friday, January 22, 2010**

**To: Congressional Health Staff**

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

**Subject: CMS Releases Guidance Regarding Certain Protections for Medicaid and  
CHIP Beneficiaries**

Today, the Centers for Medicare & Medicaid Services (CMS) released two letters to State Health Officials and State Medicaid Directors providing guidance related to protections for Medicaid and Children's Health Insurance Program (CHIP) beneficiaries.

The first letter provides guidance to assist States with implementation of the American Recovery and Reinvestment Act of 2009 (the Recovery Act) provisions relating to certain protections for Indian beneficiaries. Section 5006 of the Recovery Act provides certain premium and cost-sharing protections under Medicaid and CHIP and exempts certain Indian-specific property from consideration in determining Medicaid eligibility and from Medicaid estate recovery. It also provides Medicaid managed care protections for Indian health programs and Indian beneficiaries and establishes new requirements for consultation on Medicaid and CHIP with Indian health programs.

The second letter provides general information on section 504 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), which institutes a 30-day statutory grace period during which CHIP enrollees may pay their past-due monthly premiums before being disenrolled from CHIP. This provision also includes new requirements for States to notify families of their rights and responsibilities with respect to payment of premiums.

The State Medicaid Directors letter can be viewed at:

<http://www.cms.hhs.gov/SMDL/SMD/list.asp#TopOfPage>

The State Health Officials letter can be viewed at:

<http://www.cms.hhs.gov/SMDL/SHO/list.asp#TopOfPage>

If you have questions about this guidance, please contact the CMS Office of Legislation.  
Thank you.