

**U.S. House and Senate Notification**  
**Thursday, May 27, 2010**

**To:** Congressional Health Staff

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

**Re:** Medicaid Premiums and Cost-Sharing – Revised Final Regulation

Today, the Centers for Medicare & Medicaid Services (CMS) put on display in the Federal Register a final rule (with a 30-day comment period for certain provisions) revising regulations regarding options for State flexibility with respect to Medicaid premiums and cost sharing. This regulation codifies the provisions of the Deficit Reduction Act (DRA) of 2005.

The DRA amended title XIX of the Social Security Act by adding a new section 1916A, which offered State Medicaid programs a new option to establish alternative premium and cost-sharing requirements for certain Medicaid beneficiaries. This final rule amends the final rule published on November 25, 2008 to reflect public comments received during two comment periods. This new regulation also addresses section 5006(a) of the American Recovery and Reinvestment Act of 2009, which amended sections 1916 and 1916A of the Social Security Act to exempt Indians from premiums and cost-sharing under certain circumstances.

This revised final rule will become effective on July 1, 2010. Please note that the 30-day comment period provided for this revised final rule applies only to the provisions that implement the Indian protection provisions found at section 5006(a) of the Recovery Act. Those changes were effective July 1, 2009.

The regulation is now on display and will be published in the *Federal Register* on May 28, 2010. To view the final rule on display today, please visit:  
[http://www.federalregister.gov/OFRUpload/OFRData/2010-12954\\_PI.pdf](http://www.federalregister.gov/OFRUpload/OFRData/2010-12954_PI.pdf).

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