

Generic Supporting Statement
CHIP State Plan Eligibility
CMS-10398 #17, OMB 0938-1148

This June 2025 iteration is a revision of an active collection of information request. The revision adds a new SPA template and its associated implementation guide.

The contents of this Supporting Statement and the associated attachments have been reviewed and, if needed, revised, to ensure that they are consistent with the Trump administration's policies, goals, and objectives. This includes compliance with Executive Order 14168 and OMB's SPD 15 standards.

Separately, while CS19 is entitled "Social Security Number," we are not collecting SSNs or any other personally identifiable information (PII)."

A. Background

The Centers for Medicare & Medicaid Services (CMS) work in partnership with States to implement Medicaid and the Children's Health Insurance Program (CHIP). Together these programs provide health coverage to millions of Americans. Medicaid and CHIP are based in Federal statute, associated regulations and policy guidance, and the approved State plan documents that serve as a contract between CMS and States about how Medicaid and CHIP will be operated in that State. CMS works collaboratively with States in the ongoing management of programs and policies, and CMS continues to develop implementing guidance and templates for States to use to elect options available because of the Affordable Care Act or to comply with new statutory provisions. CMS also continues to work with States through other methods to further the goals of health reform, including program waivers and demonstrations, and other technical assistance initiatives.

The Center for Medicaid and CHIP Services (CMCS) adjudicates over 2,000 actions annually, including state plan amendments, waiver applications, Advanced Planning Documents, and more. CMCS also engages in extensive work in the oversight of current programs, the development of new policy (regulations, State Medicaid letters, on-going technical assistance to states, etc.) to keep pace with state and industry innovations.

B. Description of Information Collection

In 2014, states submitted a number of state plan amendments to implement the Medicaid and CHIP changes related to the Affordable Care Act. The vehicle in submitting these 2014-related SPAs is a set of "fillable" PDF templates submitted through the web-based repository known as the Medicaid Model Data Lab (MMDL). As of April 2025 States continue to access and submit these PDFs through the MMDL system, the list of SPA templates can be found below under *Collection of Information Instruments and Instruction/Guidance Documents*.

This June 2025 iteration adds a new CHIP eligibility template "General Eligibility – Incarcerated CHIP Beneficiaries" and an associated implementation guide. The revision is intended to conform with the sections 5121 and 5122 of the Consolidated Appropriations Act of 2023 (CAA, 2023).

Under section 2110(b)(2)(A) of the Social Security Act (SSA) and 42 CFR 457.310(c)(2)(i), children who are inmates of a public institution are excluded from the definition of targeted low-income child and therefore are not eligible for CHIP. However, section 5121 of the CAA, 2023 added a new section 2110(b)(7) to the SSA that provides limited exceptions to this exclusion. Effective January 1, 2025, children are no longer subject to the CHIP eligibility exclusion if they are within 30 days prior to their release from incarceration from a public institution.

Also, under section 5121, a new section 2102(d) was added to the SSA, effective January 1, 2025, which prohibits states from terminating otherwise eligible CHIP enrollees who are inmates of a public institution and instead permits states to suspend coverage during the enrollee's incarceration. States that elect to suspend coverage may implement either a benefits or eligibility suspension. States must also provide screening and diagnostic services, and case management services available under the CHIP state plan in the 30 days prior to release in accordance with section 2102(d)(2) of the SSA.

Additionally, through section 5122 of the CAA, 2023 states may implement the option to lift the CHIP eligibility exclusion for children who are incarcerated while pending disposition of charges and provide them with full CHIP state plan benefits during that time.

C. Deviations from Generic Request

No deviations are requested.

D. Burden Hour Deduction

Wage Estimate

To derive average costs, we used data from the U.S. Bureau of Labor Statistics' May 2024 National Occupational Employment and Wage Estimates for all salary estimates (<https://www.bls.gov/oes/tables.htm>). In this regard, the following table presents BLS' mean hourly wage, our estimated cost of fringe benefits and other indirect costs (calculated at 100 percent of salary), and our adjusted hourly wage.

BLS's wage estimates are updated annually. Current and historic wage figures can be found at the BLS address cited above. May 2024 is current as of the date of this collection of information request.

Occupation Title	Occupation Code	Mean Hourly Wage (\$/hr)	Fringe Benefits and Other Indirect Costs (\$/hr)	Adjusted Hourly Wage (\$/hr)
Business Operations Specialist	13-1000	43.76	43.76	87.52

As indicated, we are adjusting our employee hourly wage estimates by a factor of 100 percent. This is necessarily a rough adjustment, both because fringe benefits and other indirect costs vary significantly from employer to employer, and because methods of estimating these costs vary widely from study to study. Nonetheless, we believe that doubling the hourly wage to estimate total cost is a reasonably accurate estimation method.

Collection of Information Requirements and Associated Burden

With a potential universe of 56 respondents, we estimate that it will take 50 hours at \$87.52/hr for a business operations specialist to collect the applicable data and submit such information to CMS. In aggregate, we estimate 2,800 hours (56 responses x 50 hr) at a cost of \$245,056 (2,800 hr x \$87.52/hr).

We have no reliable way of knowing how many states will revise their templates in subsequent years nor how many templates they will revise. Recognizing that there is burden in subsequent years, to remain in compliance with the PRA we consider our one-time 2,800 hour estimate as an annual figure even though this is an overestimate since much, if not all, of the one-time requirements have been met.

Although we estimate it will take 4 hours at \$87.52/hr for a business operations specialist to collect and submit the data associated with our new SPA template (CS31; General Eligibility – Incarcerated CHIP Beneficiaries) we are not revising our active 50 hr/response estimate since 50 hours is overstated and it accounts for such efforts.

Given that this collection of information request proposes no changes to our active total time estimate (2,800 hr) we are adding 5 hours of burden to account for the limitations of ROCIS which does not allow a change of zero hours which would be indicative of no burden changes.

Burden Summary

Requirements	Number of Respondents	Total Number of Responses	Time per Response (hours)	Total Time (hours)	Labor Rate (\$/hr)	Total Cost (\$)
SPA Templates	56 States	56	50	2,800	87.52	245,056

Collection of Information Instruments and Instruction/Guidance Documents

SPA Templates

As indicated CS31 is a new SPA template. The accompanying implementation guide is also new. We are not proposing any changes to any of our active SPA templates and implementation guides.

- CS3 - Eligibility for Medicaid Expansion Program (No Changes)
- CS7 - Eligibility - Targeted Low-Income Children (No Changes)
- CS8 - Eligibility - Targeted Low-Income Pregnant Women (No Changes)

- CS9 - Eligibility - Coverage From Conception to Birth (No Changes)
- CS10 - Eligibility - Children Who Have Access to Public Employee Coverage (No Changes)
- CS11 - Eligibility - Pregnant Women Who Have Access to Public Employee Coverage (No Changes)
- CS12 - Eligibility - Dental Only Supplemental Coverage (No Changes)
- CS13 - Eligibility - Deemed Newborns (No Changes)
- CS14 - Eligibility - Children Ineligible for Medicaid as a Result of the Elimination of Income Disregards (No Changes)
- CS15 - MAGI-Based Income Methodologies (No Changes)
- CS16 - Other Eligibility Criteria – Spenddowns (No Changes)
- CS17 - Non-Financial Eligibility – Residency (No Changes)
- CS18 - Non-Financial Eligibility – Citizenship (No Changes)
- CS19 - Non-Financial Eligibility - Social Security Number (No Changes)
- CS20 - Non-Financial Eligibility - Substitution of Coverage (No Changes)
- CS21 - Non-Financial Eligibility - Non-Payment of Premiums (No Changes)
- CS23 - Non-Financial Requirements - Other Eligibility Standards (No Changes)
- CS24 - General Eligibility - Eligibility Processing (No Changes)
- CS27 - General Eligibility – Continuous Eligibility (No Changes)
- CS28 - General Eligibility - Presumptive Eligibility for Children (No Changes)
- CS29 - General Eligibility - Presumptive Eligibility for Pregnant Women (No Changes)
- CS31 - General Eligibility - Incarcerated CHIP Beneficiaries (New)

Implementation Guides

- Introduction to the Implementation Guide (IG) for the Eligibility Section (CS3, CS7, CS8, CS9, CS10, CS11, CS12, CS13, CS14, CS15, CS16, CS17, CS18, CS19, CS20, CS21, CS23, CS24, CS27, CS28, CS29, and CS31)
- IG_CS3 - Eligibility for Medicaid Expansion Program (No Changes)
- IG_CS7 - Eligibility - Targeted Low-Income Children (No Changes)
- IG_CS8 - Eligibility - Targeted Low-Income Pregnant Women (No Changes)
- IG_CS9 - Eligibility - Coverage From Conception to Birth (No Changes)
- IG_CS10 - Eligibility - Children Who Have Access to Public Employee Coverage (No Changes)
- IG_CS11 - Eligibility - Pregnant Women Who Have Access to Public Employee Coverage (No Changes)
- IG_CS12 - Eligibility - Dental Only Supplemental Coverage (No Changes)
- IG_CS13 - Eligibility - Deemed Newborns (No Changes)
- IG_CS14 - Eligibility - Children Ineligible for Medicaid as a Result of the Elimination of Income Disregards (No Changes)
- IG_CS15 - MAGI-Based Income Methodologies (No Changes)
- IG_CS16 - Other Eligibility Criteria – Spenddowns (No Changes)
- IG_CS17 - Non-Financial Eligibility – Residency (No Changes)
- IG_CS18 - Non-Financial Eligibility – Citizenship (No Changes)
- IG_CS19 - Non-Financial Eligibility - Social Security Number (No Changes)

- IG_CS20 - Non-Financial Eligibility - Substitution of Coverage (No Changes)
- IG_CS21 - Non-Financial Eligibility - Non-Payment of Premiums (No Changes)
- IG_CS23 - Non-Financial Requirements - Other Eligibility Standards (No Changes)
- IG_CS24 - General Eligibility - Eligibility Processing (No Changes)
- IG_CS27 - General Eligibility – Continuous Eligibility (No Changes)
- IG_CS28 - General Eligibility - Presumptive Eligibility for Children (No Changes)
- IG_CS29 - General Eligibility - Presumptive Eligibility for Pregnant Women (No Changes)
- IG_CS31- General Eligibility – Incarcerated CHIP Beneficiaries (New)

E. Timeline

Our 14-day Federal Register notice published on June 12, 2025 (90 FR 24804).

The new CS31 - General Eligibility – Incarcerated CHIP Beneficiaries template became effective January 1, 2025, per section 5121 of the CAA, 2023.