

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

This December 2025 iteration is a revision of an active collection of information request.

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.

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 under the CHIP state plan 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 August 2025, States now access and submit these PDFs through the OneMAC system. The list of SPA templates can be found below under *Collection of Information Instruments and Instruction/Guidance Documents*.

This December 2025 iteration updates an existing CHIP eligibility template “General Eligibility – Incarcerated CHIP Beneficiaries” and an associated implementation guide. The revision is intended to conform with Division G, Title I, Section 205 of the Consolidated Appropriations Act, 2024 (Section 205 of the CAA, 2024).

Section 2112(d)(2)(C) of the Social Security Act (SSA) excludes pregnant women who are inmates of a public institution from the definition of a targeted low-income pregnant woman. This means that pregnant women in a carceral setting are generally not included in the population that

is eligible for a separate CHIP, and that states had to terminate a pregnant women's CHIP eligibility if she became incarcerated.

However, Section 205 of the CAA, 2024 amends section 2102(d)(1)(A) of the SAA to expand the prohibition of terminating an individual's CHIP eligibility because they are an inmate of a public institution to targeted low-income pregnant women. Effective January 1, 2026, states must cease terminating CHIP eligibility for targeted low-income pregnant women but may instead suspend their coverage during the enrollee's incarceration. States that elect to suspend coverage may implement either a benefits or eligibility suspension.

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 many, if not all, of the one-time requirements have been met. Additionally, we anticipate that only 7 states will need to submit a SPA using the revised CS31 template.

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 revised 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 an existing SPA template that is being updated. The accompanying implementation guide is also being updated. We are not proposing any changes to any of our other 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 (Revised)

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 (Revised)

E. Timeline

Our 14-day notice published in the Federal Register on December 8, 2025 (90 FR 56765). Comments must be received by December 22, 2025.

The updated CS31 - General Eligibility – Incarcerated CHIP Beneficiaries template became effective January 1, 2026, per Section 205 of the CAA, 2024.