



January 13, 2009

OMB
Office of Information & Regulatory Affairs
Attn: CMS Desk Officer
New Executive Office Building
725 17th Street, NW
Room 10235
Washington, DC 20503

Re: Paperwork Reduction Act Notice, CMS-10175, CMS -10236, and CMS-179

Dear CMS Desk Officer:

On behalf of the American Public Human Services Association (APHSA) and the National Association of State Medicaid Directors (NASMD) we are submitting the following comments in response to the Paperwork Reduction Act Notice, CMS-10175, CMS -10236, and CMS-179 published in the *Federal Register* on December 19, 2008.

We found it very difficult to identify the issues being raised by this notice as there are a large number of documents with little if any explanation of what changes will be made and how these changes will impact the states. Moreover, neither the instructions to states for completing these forms nor the instructions for the conversion of the current hard copy state plans to the electronic versions were included in the review materials. We are seeking clarification about the effective date for this new process and if this is mandatory for all states-what the authority is for CMS to require this. We do not believe that the estimated burden required for states to make these changes is an accurate estimate of the burden upon the states. We seek clarification about how the conversion to this new e-SPA system will work and what additional burdens will be put on the states. Additionally, we would like to know if there is a set time frame for the transfer of current state plans and also whether the transferring of the state plans to the electronic format will open the plans up for unnecessary and inappropriate scrutiny. While we understand that the use of this new electronic system is aimed at reducing the information collection burden there are a number of concerns about this new e-SPA process that states raised on the recent January 8, 2009 e-SPA webinar. We are concerned that there will be a significant burden on the states should this be implemented in its current form.

The Medicaid State Plans are essential living documents necessary to describe each State's Medicaid plan, not only to CMS, but to the providers, beneficiaries, consumers and other stakeholders. To change the manner in which the plans are modified without

testing or consultation with the States could result in major complications for the State programs. We are eager to work with CMS to ease the burden of SPA submissions, however we believe the suggested changes outlined in this notice will be more burdensome to the states than described by this notice. Should you have any questions please contact Ann Kohler, NASMD director at 202-682-0100 x299.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Clemency Kohler". The signature is fluid and cursive, written on a light-colored background.

Ann Clemency Kohler
NASMD Director

cc: Bill Lasowski