



National Association of State Medicaid Directors

an affiliate of the American Public Human Services Association

May 19, 2009

Jackie Garner
Acting Director
Center for Medicaid and State Operations
7500 Security Blvd.
Baltimore, MD 21244

Re: CMS-10281 Lewin's Study on several Medicaid Regulations

Dear Ms. Garner:

I am writing to you on behalf of the National Association of State Medicaid Directors (NASMD) to express our concern about the current study and data collection on 4 of your agency's 2007 regulations. We understand and appreciate the need for this analysis however it has come to our attention that this survey is quite lengthy and is posing an administrative burden on the states. The states are working diligently to comply with the data request but as you can imagine it is consuming a lot of their staff's time. At least one state has already spent over 100 hours of their staff's time in responding to this. The states resources are already spread thin as they are dealing with a number of pressing issues including reporting stemming from the ARRA. We realize that because this study was requested by Congress you are somewhat limited in your ability to make any alterations to the process. However, to the extent possible, we would appreciate your assistance in reviewing the current process to determine if you could lift some of the administrative burden perhaps by decreasing the amount of data being requested. Although this study was called for in P.L. 110-252, most recently the ARRA indicated that it was the "sense of Congress" not to finalize three of the four regulations (which are part of this study). Additionally, earlier this month CMS published a notice proposing to withdraw the School-Based Services Rule which is the fourth regulation being reviewed by this study. Thus, we would appreciate any assistance you can provide by decreasing the burden to the states.

We are eager to work with you on this and other issues and appreciate your time and assistance with this request. Should you have any questions please contact me at 202-682-0100 x299.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Clemency Kohler".

Ann Clemency Kohler
NASMD Director

Cc: Rima Cohen