DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
JFK Federal Building, Government Center
Room 2275
Boston, Massachusetts 02203

CMS
CENTERS for MEDICARE & MEDICAID SERVICES

Division of Medicaid and Children's Health Operations / Boston Regional Office

April 13, 2012

Mary C. Mayhew, Commissioner
Department of Health and Human Services
221 State Street
11 State House Station
Augusta, Maine 04333-0011

Dear Commissioner Mayhew:

We have reviewed your March 19, 2012 letter regarding the State's request for an extension to November 7, 2012 to complete its Institute of Mental Disease (IMD) analysis; as you are aware, this is an additional six months from the current deadline of May 7, 2012. We are granting your extension request to complete the review, but we will require the State to provide us with regular progress updates.

We would like the following information submitted to the Maine State Lead, Kathryn Holt, on a monthly basis:

1. The initial total number of facilities/homes reviewed;
2. The number of facilities/homes still needing review; and
3. A timeline depicting how all facilities/homes will be reviewed in time for final determinations to be made by November 7, 2012.

As you are aware, the State must immediately cease claiming FFP for all Medicaid services provided to individuals residing in a facility determined to be an IMD.

An additional point of clarification may be necessary based on the information provided in your March 19th letter regarding the existence of depression in some residents of PNMI Case Mix facilities. Please note that the "need for institutionalization" must be a person's mental disease; therefore, irrespective of whether a person has a primary or secondary diagnosis of depression, mental disease must be a factor for why they require institutionalization.

Please feel free to contact me if you have any questions.

Sincerely,

Richard R. McGreal
Associate Regional Administrator