COMMONWEALTH of VIRGINIA
Office of the Governor

Daniel Carey, MD
Secretary of Health and Human Resources

May 25, 2021

Francis McCullough, Associate Regional Administrator
Centers for Medicare & Medicaid Services
801 Market Street, Suite 9400
Philadelphia, PA 19107-3134

Dear Mr. McCullough:

Attached for your review and approval is amendment 21-022, entitled “COVID Vaccine for Plan First” to the Plan for Medical Assistance for the Commonwealth. I request that your office approve this change as quickly as possible.

Sincerely,

Daniel Carey, MD. MHCM

Attachment

cc: Karen Kimsey, Director, Department of Medical Assistance Services
Transmittal Summary

SPA 21-022

I. IDENTIFICATION INFORMATION

Title of Amendment: COVID Vaccine for Plan First

II. SYNOPSIS

Basis and Authority: The Code of Virginia (1950) as amended, § 32.1-325, grants to the Board of Medical Assistance Services the authority to administer and amend the Plan for Medical Assistance. The Code of Virginia (1950) as amended, § 32.1-324, authorizes the Director of the Department of Medical Assistance Services (DMAS) to administer and amend the Plan for Medical Assistance according to the Board's requirements.

Purpose: In accordance with Section 9811 of the American Rescue Plan Act of 2021, DMAS will be making changes to the State Plan in order to cover COVID-19 vaccines and vaccine administration fees for the limited benefit program called Plan First. (Typically, individuals in this program only receive Medicaid coverage for services that delay or prevent pregnancy.) The costs of both the vaccine and the vaccine administration fee will be covered by the federal government.

Substance and Analysis: The section of the State Plan that is affected by this amendment is “Amount, Duration, and Scope of Medical and Remedial Care and Services Provided to the Categorically Needy and Medically Needy.”


Tribal Notice: Please see Attachments A-1 and A-2.

Prior Public Notice: N/A

Public Comments and Agency Analysis: N/A
Dear Tribal Leaders and Indian Health Programs:

Attached is a Tribal Notice letter from Virginia Medicaid Director Karen Kimsey indicating that the Dept. of Medical Assistance Services (DMAS) plans to submit a State Plan Amendment (SPA) to the federal Centers for Medicare and Medicaid Services. This SPA will cover COVID-19 vaccines and vaccine administration fees for individuals in the limited benefit program called Plan First.

If you would like a copy of the SPA documents or proposed text changes, or if you have any questions, please let us know.

Thank you! -- Emily McClellan

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Emily McClellan
Regulatory Supervisor
Policy Planning and Innovation Division
Virginia Department of Medical Assistance Services
600 East Broad Street
Richmond, VA 23219
(804) 371-4300
www.dmas.virginia.gov
May 19, 2021

SUBJECT: Notice of Opportunity for Tribal Comment – State Plan Amendment related to COVID Vaccine for Plan First Family Planning Coverage Group

Dear Tribal Leader and Indian Health Programs:

This letter is to notify you that the Department of Medical Assistance Services (DMAS) is planning to amend the Virginia State Plan for Medical Assistance with the Centers for Medicare and Medicaid Services (CMS). Specifically, DMAS is providing you notice about a State Plan Amendment (SPA) that the Agency will file with CMS in order to cover COVID-19 vaccines and vaccine administration fees for the limited benefit program called Plan First. (Typically, individuals in this program only receive Medicaid coverage for services that delay or prevent pregnancy.) This change is being made in accordance with the American Rescue Plan Act of 2021.

The tribal comment period for this SPA is open through June 18, 2021. You may submit your comments directly to Emily McClellan, DMAS Policy Division by phone at 804-371-4300 or via email at Emily.McClellan@dmas.virginia.gov. If you prefer regular mail, you may send your comments or questions to:

Virginia Department of Medical Assistance Services
Attn: Emily McClellan
600 East Broad Street
Richmond, VA 23219

Please forward this information to any interested party.

Sincerely,

Karen Kimsey
STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
State of VIRGINIA
AMOUNT, DURATION, AND SCOPE OF MEDICAL
AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY
and MEDICALLY NEEDY

4c. Family planning services and supplies for individuals of child-bearing age.

A. Service must be ordered or prescribed and directed or performed within the scope of the license of a practitioner of the healing arts.

B. Family planning services shall be defined as those services which delay or prevent pregnancy. Coverage of such services shall not include services to treat infertility nor services to promote fertility.

C. In accordance with the American Rescue Plan Act of 2021, COVID vaccines and vaccine administration fees will be covered until the last day of the first calendar quarter that begins one year after the end of the federal public health emergency.

(The next page is 7 of 41)
TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES

1. TRANSMITTAL NUMBER 21022
2. STATE Virginia
3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE 4/1/2021

5. TYPE OF PLAN MATERIAL (Check One)
   □ NEW STATE PLAN    □ AMENDMENT TO BE CONSIDERED AS NEW PLAN    X AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION
   42 CFR 440

7. FEDERAL BUDGET IMPACT
   a. FFY 2021 $836,840
   b. FFY 2022 $169,240

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT
   Attachment 3.1A&B, page 6.9

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)
   Same as box #8.

10. SUBJECT OF AMENDMENT
    COVID Vaccine for Plan First

11. GOVERNOR’S REVIEW (Check One)
    □ GOVERNOR’S OFFICE REPORTED NO COMMENT
    □ COMMENTS OF GOVERNOR’S OFFICE ENCLOSED
    □ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL
    X OTHER, AS SPECIFIED
    Secretary of Health and Human Resources

12. SIGNATURE OF STATE AGENCY OFFICIAL
    Karen Kimsey
    Director
    5/18/2021

13. TYPED NAME
    Karen Kimsey

14. TITLE
    Director

15. DATE SUBMITTED 5/18/2021

16. RETURN TO
    Dept. of Medical Assistance Services
    600 East Broad Street, #1300
    Richmond VA 23219
    Attn: Regulatory Coordinator

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED
18. DATE APPROVED

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL
20. SIGNATURE OF REGIONAL OFFICIAL

21. TYPED NAME
22. TITLE

23. REMARKS

Instructions on Back
4c. Family planning services and supplies for individuals of child-bearing age.

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C. In accordance with the American Rescue Plan Act of 2021, COVID vaccines and vaccine administration fees will be covered until the last day of the first calendar quarter that begins one year after the end of the federal public health emergency.