

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-01-16  
Baltimore, Maryland 21244-1850



Children and Adults Health Programs Group

RECEIVED

NOV 30 2015

COMMISSIONER BMS

NOV 20 2015

Ms. Cynthia Beane  
Acting Commissioner, Bureau of Medical Services  
West Virginia Department of Health and Human Resources  
350 Capitol Street, Room 251  
Charleston, WV 25301-3706

Dear Ms. Beane:

This letter is to inform you that the Centers for Medicare & Medicaid Services (CMS) has approved your request to use a mechanism other than the Federal Data Services Hub (Hub) for Medicaid and the Children's Health Insurance Program (CHIP) eligibility verification. In particular, West Virginia requested a waiver of the requirement to use the Hub to access the Department of Homeland Security's Systematic Alien Verification for Entitlements (SAVE) system for steps 2 and 3 of the process. Medicaid and CHIP regulations at 42 CFR §435.945(k) and 42 CFR §457.380(i), respectively, afford states the right to request Secretarial approval if they intend to use a mechanism other than the Hub for information that could be obtained through the Hub. CMS has confirmed that the electronic data source and verification procedures that West Virginia will use in place of the Hub ensure an equitable consumer experience, while maintaining program integrity.

CMS is providing West Virginia a temporary waiver until December 31, 2016 to continue using an existing direct connection to SAVE to access steps 2 and 3 in order to complete verification of immigration status. West Virginia's alternative approach to verifying immigration status using an existing SAVE interface meets the requirements of section 1137 of the Social Security Act and offers applicants an equitable consumer experience. West Virginia anticipates developing the functionality to access SAVE steps 2 and 3 through the Hub VLP service by June 30, 2016, but the system design schedule is not yet definitive. CMS is granting this Hub waiver with the expectation that West Virginia will proceed with implementing the Hub connection no later than December 31, 2016.

Continuation of the authorities granted under this waiver are contingent on the state maintaining an equitable consumer experience as well as meeting other requirements specified in this letter. Regulations at 42 CFR §435.945(j) and 42 CFR §457.380(j) require state Medicaid and CHIP agencies to develop, and update as modified, a verification plan describing the verification policies and procedures adopted by the state agency in accordance with 42 CFR §435.940 through 42 CFR §435.956 and 42 CFR §457.380. The state's verification plan should be updated to reflect this waiver approval and the timeframe for fully using the Hub for verification of immigration status. All MAGI-based verification plans will be made publicly available on Medicaid.gov.

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Should you have additional questions or would like to discuss your verification plan further, please contact Rebecca Bruno at 410-786-1055 or [rebecca.bruno@cms.hhs.gov](mailto:rebecca.bruno@cms.hhs.gov).

Sincerely,

A handwritten signature in blue ink that reads "Anne Marie Costello". The signature is written in a cursive style with a large, stylized "C" at the end.

Anne Marie Costello  
Acting Director

cc:

Francis McCullough, Associate Regional Administrator, CMS Region III