

Department of Health & Human Services
Centers for Medicare & Medicaid Services
26 Federal Plaza, Room 37-100 North
New York, NY 10278



July 6, 2011

Jason A. Helgeson,
Medicaid Director
Office of Health Insurance Programs
New York State Department of Health
Corning Tower
Empire State Plaza
Albany, New York 12237

Dear Mr. Helgeson:

The New York State Plan Amendment (SPA) 11-78, received in our office on June 15, 2011 has been approved. This SPA implements the Medicaid payment provision Section 6505, of the Affordable Care Act, entitled "Prohibition on Payments to Institutions or Entities Located Outside of the United States". This provision requires that the State does not provide any payments for items or services provided under the State plan or under a waiver to any financial institution or entity located outside of the United States.

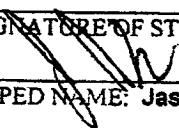

Please note the approval date of this SPA is July 6, 2011 and the effective date is June 1, 2011. Enclosed please find copy of the approved pages for the State Plan Amendment 11-78 and the signed CMS179 form.

If you have any questions, please contact Ana J. Balbuena at (212) 616-2410.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Melendez". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Michael Melendez
Associate Regional Administrator
Division of Medicaid and Children's Health

| | | | |
|--|--|---|----------------------|
| TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL | | 1. TRANSMITTAL NUMBER: 11-78 | 2. STATE New York |
| FOR: HEALTH CARE FINANCING ADMINISTRATION | | 3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID) | |
| TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES | | 4. PROPOSED EFFECTIVE DATE June 1, 2011 | |
| 5. TYPE OF PLAN MATERIAL (Check One): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT | | | |
| COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment) | | | |
| 6. FEDERAL STATUTE/REGULATION CITATION: Section 1902(a)(80) of the Social Security Act , P.L 111-148 (section 6505) | | 7. FEDERAL BUDGET IMPACT: a. FFY 06/01/11 – 09/30/11 \$0 b. FFY 10/01/11 – 09/30/12 \$0 | |
| 8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 1.1: Page 79-z | | 9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Attachment 1.1: New | |
| 10. SUBJECT OF AMENDMENT: Prohibition on Payments to Institutions or Entities Located Outside of the United States | | | |
| 11. GOVERNOR'S REVIEW (Check One): <input checked="" type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL | | | |
| 12. SIGNATURE OF STATE AGENCY OFFICIAL:  | | 16. RETURN TO: New York State Department of Health Corning Tower Empire State Plaza Albany, New York 12237 | |
| 13. TYPED NAME: Jason A. Helgerson | | | |
| 14. TITLE: Medicaid Director & Deputy Commissioner Department of Health | | | |
| 15. DATE SUBMITTED: June 27, 2011 | | | |
| FOR REGIONAL OFFICE USE ONLY | | | |
| 17. DATE RECEIVED: | | 18. DATE APPROVED: JUN 06 2011 | |
| PLAN APPROVED - ONE COPY ATTACHED | | | |
| 19. EFFECTIVE DATE OF APPROVED MATERIAL: JUN 01 2011 | | 20. SIGNATURE OF REGIONAL OFFICIAL:  | |
| 21. TYPED NAME: Michael Melander | | 22. TITLE: Associate Regional Administrator Division of Medicaid and State Operations | |
| 23. REMARKS: | | | |

OFFICIAL

State/Territory: New York

4.44 Medicaid Prohibition on Payments to Institutions or Entities Located Outside of the United States

Citation: Section 1902(a)(80) of Social Security Act, P.L. 111-148 (Section 6505)

The State shall not provide any payments for items or services provided under the State plan or under a waiver to any financial institution or entity located outside of the United States.

TN No. #11-78

Effective Date JUN 01 2011

Supersedes TN No. NEW

Approval Date JUL 06 2011