

Wyoming Department of Health, ARRA Impact – Moratorium on Regulations

Medicaid is a federal-state program providing medical assistance for specified groups of low-income persons who are aged, blind, disabled, or members of families with children. Within federal guidelines, each state designs and administers its own program. Federal partners for Medicaid are Health and Human Services, Centers for Medicare and Medicaid (CMS).

In 2007 and 2008, CMS issued seven Medicaid regulations that generated controversy during the 110th Congress. To address concerns with the impact of the regulations, Congress passed a law that imposed moratoria on six of the Medicaid regulations until April 1, 2009 (excluding the rule on outpatient hospital facility and clinic services). The seven Medicaid regulations covered the following Medicaid areas:

- Graduate Medical Education,
- Cost Limit for Public Providers,
- Rehabilitation Services,
- Targeted Case Management,
- School-Based Services,
- Provider Taxes, and
- Outpatient Hospital Services.

The provision in the ARRA extends the moratorium through June 30, 2009 for the regulations pertaining to: targeted case management, provider taxes, and school based administration and transportation services. It also adds a moratorium to the regulation for outpatient hospital services through June 30, 2009 (includes expenditures for services furnished from December 8, 2008-June 30, 2009). The provision also sets forth a "Sense of Congress" that the Secretary of HHS should not promulgate final regulations for cost limits to certain providers, graduate medical education, and rehabilitative services.

There is no significant impact to Wyoming Medicaid based on this provision. Wyoming does not participate in school based services/transportation or provider taxes. We are prepared administratively to implement the other regulations. There is no funding in the provision and no fiscal impact to Wyoming.