

**Supporting Statement for the Information Collection Requirements (ICRs)
Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009,
State Option Pre-print to Include Pregnant Women (CMS-10284)**

A. Background

The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), Public Law 111-3, ensures that States are able to provide necessary health coverage for uninsured children eligible under the State Children's Health Insurance Program (CHIP). Section 111 of CHIPRA adds a new section 2112 to the Social Security Act (the Act) which gives States the option of providing necessary prenatal, delivery and postpartum care to low-income uninsured pregnant women through an amendment to its State child health plan (CHIP plan) (as described in Section 2112). The purpose of this State plan template is to provide general information concerning this new option and guidance for States to amend their CHIP plan to reflect the coverage of pregnant women, should a State wish to take advantage of this option.

B. Justification

1. Need and Legal Basis

The legal authority for this collection is Title XXI of the Social Security Act, specifically Public Law 111-3, which adds a new section 2112 to the Social Security Act as described above. It is this section, which gives States the option of providing benefits to low-income uninsured pregnant women. States need this template as instruction on how to submit a CHIP State plan amendment to exercise this option.

2. Information Users

The CHIP State plan and its subsequent amendments, including this preprint template, are used by CMS to determine if the State has met the requirements of Title XXI.

Information provided in the state plan, state plan amendments and from the other information CMS is collecting will be used by: advocacy groups, beneficiaries, applicants, other Governmental agencies, providers groups, research organizations, health care corporations,

health care consultants and States. These groups will use the information collected to assess state plan performance, health outcomes and an evaluation of the amount of substitution of private coverage that occurs as a result of the subsidies and the effect of the subsidies on access to coverage.

3. Improved Information Technology

States can use their electronic systems to send CMS information regarding their CHIP State plan, state plan amendments, including this preprint template. CMS then posts submissions and any State plan amendment approvals to the CMS website for public use. CMS will also be implementing an electronic SPA submission system later in FFY 2009.

4. Duplicate Information

Title XXI is a program created by the Balance Budget Act. There is no duplication of this information.

5. Small business

This collection of information does not involve small businesses or other small entities.

6. Less Frequent Collection

States should only need to amend their existing CHIP State plans once to add uninsured low-income pregnant women, as included in this preprint template.

7. Special Circumstances

There are no special circumstances.

8. Federal Register/Outside Consultation

A 60-day Federal Register notice was published on May 1, 2009.

A 60-day Federal Register notice was published on December 10, 2004 in regards to the overall CHIP program (prior to CHIPRA). The regulations for CHIP were revised as of October 1, 2005 in the Code of Federal Regulations, Title 42, Volume 3, CITE: 42CFR457, Page 362-412.

CMS has consulted and will continue to consult with the National Governor's Association, states and other private and public parties in the development of this plan, the model template and instructions, and in the estimate of the reporting and record keeping burden.

9. Payments or Gifts

There is no provision for any payment or gift to respondents associated with this reporting requirement.

10. Confidentiality

Because no personal identifying information is collected in the report, there is no issue of confidentiality with respect to the information submitted by the State. The information submitted by the State is available for public review.

11. Sensitive Questions

There are no questions of a sensitive nature in the information collection.

12. Estimate of Hour Burden and Cost to Respondents

Although States may submit the information in any manner to demonstrate that they have met the requirements set forth in Title XXI of the Social Security Act, CMS, has developed the attached model application template and instructions to reduce the burden associated with these ICRs to a minimal level. The estimate of burden includes time for reviewing instructions, gathering information, and completing the model template. Because all states already have approved plans, states currently submit amendments when needed to make changes to

their programs. They alter only those portions of the model application template that are affected by the change. The number of amendments that will be submitted annually is estimated based on the number of amendments that were submitted in federal fiscal year 2004.

Section 457.60 -- Amendments

In summary, §457.60 requires a State to submit to CMS for approval an amendment to its approved State plan, whenever necessary, to reflect any changes in: 1) Federal law, regulations, policy interpretations, or court decisions, 2) State law, organization, policy or operation of the program, or 3) the source of the State share of funding.

The burden associated with this requirement is the time and effort for a State, using the State Plan Amendment template to prepare and submit to CMS for approval, any necessary amendments to its State plan. Based upon CMS's previous experiences with State plan amendments we estimate that on average, it will take a State 80 hours to complete and submit an amendment. We estimate that 40 amendments will be submitted on an annual basis for a total burden of 3,200 hours.

Record Keeping and Reporting Burden

40 amendments X 80 hours = 3,200 hours.

Total Annual Cost

The estimate of annualized costs to the State governments is \$27,266 (28.01 percent of the total costs of \$97,344). The State employee hourly wage figure is computed as 80 percent of the 2004 GS-12, step 1, annual salary, plus 20 percent retirement/insurance benefits. The average State cost is computed as follows:

$\$30.42 \text{ per hour} \times 3,200 \text{ hours per year} = \$97,344$

$\$97,344 \times 28.01 \text{ percent (average State share)} = \$27,266.$

13. Total Costs as a Result of Data Collection

There are no start-up costs associated with this information collection.

14. Federal Costs

The estimated average annualized cost to the Federal government per state is 71.99 percent X \$97,344 = \$70,078.

The cost estimate is computed as follows:

Title XXI provides an enhanced Federal match that is 30 percent of the difference between 100 and the current Federal match. The average Federal match for Federal Fiscal Year 2004 is 59.99 percent of total costs. Therefore, the average enhanced match under Title XXI is 71.99 percent.

Federal costs = 71.99 percent X \$97,344 = \$70,078

15. Changes in Burden and/or Cost Estimates

This is a new collection.

16. Publication and Tabulation Data

There are no plans to publish the information for statistical use.

17. Display of Expiration Data

CMS is not seeking approval not to display the expiration date for OMB approval of the information collection.

18. Exception to Certification Statement

There are no exceptions to the certification statement.

C. Collection of Information Employing Statistical Methods

CMS does not intend to collect information employing statistical methods.