



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

April 9, 2018

Mr. Alex M. Azar, II
Secretary
Office for the Secretary of the Department of Health and Human Services
The Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Azar:

As part of statewide effort to combat the ongoing opioid crisis, I have the privilege of submitting the State of New Hampshire's application for a Section 1115(a) Demonstration Waiver, the "New Hampshire Substance Use Disorder Treatment and Recovery Access Section 1115 Research and Demonstration Waiver," to improve access to and quality of residential substance use disorder (SUD) treatment for Medicaid beneficiaries.

We have worked tirelessly over the past several months in cooperation with our federal partners in Washington to improve health outcomes by ensuring continuity in care for individuals receiving residential SUD treatment, increasing access to residential treatment services for adolescents with SUD, and ensuring consistency between public and private coverage for SUD services in New Hampshire. This Demonstration will further the objectives of Title XIX by increasing access to, stabilizing, and strengthening providers, and provider networks, available to serve Medicaid and low-income populations in the State.

New Hampshire is requesting that CMS waive Section 1905(a)(29)(B), 42 CFR 438.6(e), and 42 CFR 435.1010 to allow a waiver of the IMD exclusion for Medicaid-eligible individuals ages 21 to 64 receiving residential substance use disorder (SUD) treatment in an Institution for Mental Disease (IMD) for as long as is medically necessary.

The waiver also asks the Center for Medicare and Medicaid Services (CMS) to expand the exception to the IMD exclusion in 42 CFR 441.11 (c)(5) to the provider type Comprehensive SUD Treatment, as described in He-W 513.02 (c) to allow New Hampshire to claim federal financial participation (FFP) for individuals under 21 receiving residential substance use disorder treatment in these facilities for as long as is medically necessary.

The enclosed application reflects the program elements outlined in the November 1, 2017 State Medicaid Director (SMD #17-003) guidance for "Strategies to Address the Opioid Epidemic," discussions with CMS, and all public notice and transparency requirements established by federal law.

The State of New Hampshire appreciates an expedited approval of this application which will improve outcomes for our citizens struggling with addiction.

Sincerely,



Christopher T. Sununu
Governor

Attachment

cc: Seema Verma, Administrator, Centers for Medicare and Medicaid Services
Timothy Hill, Acting Director, Center for Medicaid and CHIP Services
Judith Cash, Acting Director, State Demonstrations Group
Mr. Richard McGreal, Associate Regional Administrator, CMS Boston Regional Office
The Honorable Chuck Morse, NH Senate
The Honorable Gene G. Chandler, NH House
Commissioner Jeffrey A. Meyers, NH Department of Health and Human Services