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State Plan Amendment (SPA): 17-0012 (Physicians Fees - 04/01/17)

This file contains the following documents in order listed:

1. CMS Approval Letter
2. CMS Form 179
3. Superseding Page Listing (Attachment to Blocks 8 & 9 of CMS Form 179)
4. Approved SPA Page
July 17, 2017

Our Reference: TX SPA 17-0012

Ms. Jamie Snyder
State Medicaid/CHIP Director
Health and Human Services Commission
Post Office Box 13247
Mail Code H100
Austin, Texas 78711

Dear Ms. Snyder:

We have reviewed the State’s proposed amendment the Texas State Plan submitted under Transmittal Number (TN) 17-0012, dated June 27, 2017. This plan amendment updates the physicians’ and other practitioners’ fee schedule.

Based on the information submitted, we have approved the amendment for incorporation into the official Texas State Plan, with an effective date of April 1, 2017. A copy of the CMS – 179 and the approved plan pages are included with this letter.

If you have any questions please contact Ford Blunt of my staff. Mr. Blunt may be reached at (214) 767-6381 or by E-mail at Ford.Blunt@cms.hhs.gov.

Sincerely,

Bill Brooks
Associate Regional Administrator

Cc: Dana Williamson, Manager, Policy Development Support
### Transmittal and Notice of Approval of State Plan Material

#### FOR: Centers for Medicare and Medicaid Services

**1. Transmittal Number:**
17-0012

**2. State:**
Texas

**3. Program Identification: Title XIX of the Social Security Act (Medicaid)**

**4. Proposed Effective Date:**
April 1, 2017

**5. Type of Plan Material (Circle One):**
- [ ] New State Plan
- [ ] Amendment to be considered as New Plan
- [x] Amendment

**6. Federal Statute/Regulation Citation:**
Social Security Act §1902(a)(30); 42 CFR 447.201(b).

**7. Federal Budget Impact:**
- a. FFY 2017: $(115,713)
- b. FFY 2018: $(203,649)
- c. FFY 2019: $(176,078)

**8. Page Number of the Plan Section or Attachment:**
See Attachment to Blocks 8 & 9

**9. Page Number of the Superseded Plan Section or Attachment (If Applicable):**
See Attachment to Blocks 8 & 9

**10. Subject of Amendment:**
The proposed amendment updates the physicians' and other practitioners' fee schedule.

**11. Governor's Review (Check One):**
- [ ] Governor's Office Reported No Comment
- [x] Comments of Governor's Office Enclosed
- [ ] No Reply Received Within 45 Days of Submittal

**12. Signature of State Agency Official:**

**13. Typed Name:**
Jami Snyder

**14. Title:**
State Medicaid Director

**15. Date Submitted:**
June 27, 2017

**16. Return To:**
Jami Snyder
State Medicaid Director
Post Office Box 13247, MC: H-100
Austin, Texas 78711

**17. Date Received:**
June 27, 2017

**18. Date Approved:**
July 17, 2017

**19. Effective Date of Approved Material:**
April 1, 2017

**20. Signature of Regional Official:**

**21. Typed Name:**
Bill Brooks

**22. Title:**
Associate Regional Administrator
Division of Medicaid and Children's Health

**23. Remarks:**

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*Form CMS – 179 (07-92)*

*Office of the State Medicaid Director*

JUL 28 2017
## Attachment to Blocks 8 & 9 of CMS Form 179

Transmittal Number 17-0012

<table>
<thead>
<tr>
<th>Number of the Plan Section or Attachment</th>
<th>Number of the Superseded Plan Section or Attachment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment 4.19-B</td>
<td>Attachment 4.19-B</td>
</tr>
<tr>
<td>Page 1a.3</td>
<td>Page 1a.3 (TN 17-0008)</td>
</tr>
</tbody>
</table>

State: Texas
Date Received: 06-27-17
Date Effective: 04-01-17
Date Approved: 07-17-17
Transmittal # 17-0012
1. Physicians and Other Practitioners (continued)

(f) When a procedure code is nationally discontinued, a replacement procedure code is nationally assigned for the discontinued procedure code, and Medicaid implements the replacement procedure code, a state plan amendment will not be submitted since the fee for the service has not changed.

(g) To ensure access to care and prompt provider reimbursement, when a new national procedure code is assigned to a physician-administered drug or biological product, a preliminary reimbursement rate will be established by the Texas Health and Human Services Commission (HHSC) based on the published Medicare reimbursement rate; or the average wholesale price (AWP) in the absence of a Medicare reimbursement rate for the procedure code or the comparable code. In accordance with 42 CFR §447.205(b)(1), a public notice and state plan amendment will not be submitted for this preliminary reimbursement rate. This will allow the new procedure code to be payable as the reimbursement process is completed with a public notice published and a state plan amendment submitted.

(h) All fee schedules are available through the agency’s website, as outlined on Attachment 4.19-B, page 1.

(i) The agency’s fee schedule was revised with new fees for services provided by physicians and other practitioners affiliated with tuberculosis clinics or employed by tuberculosis clinics, effective April 1, 2017, and this fee schedule was posted on the agency’s website on April 15, 2017.

(j) The agency’s fee schedule was revised with new fees for physicians effective April 1, 2017, and this fee schedule was posted on the agency’s website on April 15, 2017.