



Washington Update



OMB AND OFFM RELEASE TECHNICAL CORRECTIONS TO THE UNIFORM GUIDANCE AND UPDATED FAQs

Last week, the U.S. Office of Management and Budget and the Office of Federal Financial Management released new technical corrections to the Uniform Guidance (2 CFR Part 200), published in the Federal Register at <http://www.gpo.gov/fdsys/pkg/FR-2015-09-10/pdf/2015-22074.pdf>.

Corrections were included in areas where the Council on Financial Assistance Reform realized that particular language in the final guidance did not match with the COFAR's intent and would result in an erroneous

implementation of the guidance. Technical corrections were also made to 2 CFR Part 25 to remove references to the "System of Award Management" and replace them with the correct term, "System for Award Management." These technical corrections go into effect immediately and the eCFR should be updated within the week to reflect the changes to the guidance. In addition to the technical corrections, this notice also allows a grace period of two fiscal years for non-federal entities to implement changes to their procurement policies and procedures in accordance with the Uniform Guidance procurement standards.

Updated FAQs are also available on the COFAR website at <https://cfo.gov/wp-content/uploads/2015/09/9.9.15-Frequently-Asked-Questions.pdf>.

MEDICAID HEARING UNVEILS A LIST OF BILLS TO ADDRESS PROGRAM INTEGRITY

The House Energy and Commerce Subcommittee on Health conducted a hearing last Friday on "Strengthening Medicaid Program Integrity and Closing Loopholes." Panelists included John Hagg, director of Medicaid audits at the Department of Health and Human Services, Nico Gomez, chief executive officer at the Oklahoma Health Care Authority, and Trish Riley, executive director at the National Academy for State Health Policy and commissioner at the Medicaid and CHIP Payment and Access Commission.



In light of several reports from the U.S. Government Accountability Office recently on the current status of the joint federal-state program, several bills have been introduced to address program integrity. At this hearing, the subcommittee discussed six bills targeted at strengthening Medicaid program integrity and closing eligibility loopholes in the program that have allowed individuals with significant resources to qualify for program benefits. According to the subcommittee, if enacted, these bills would save federal and state taxpayers hundreds of millions of dollars while making the program more transparent, accountable, and available to future generations. The bills are:

1. H.R. 2446: To amend title XIX of the Social Security Act to require the use of electronic visit verification for personal care services furnished under the Medicaid program.
2. The Medicaid and Children's Health Insurance Program (CHIP) Territory Fraud Prevention Act would encourage territories to create Medicaid Fraud Control Units by exempting federal funding for the fraud control units from territories' cap on Medicaid funding and by exempting territories from the statutory ceiling on quarterly Federal payments for the units.
3. H.R. 1570: The Medicaid and CHIP Territory Transparency and Information Act, would address the lack of federal spending information in the territories by requiring the Centers for Medicare and Medicaid Services to include on its website similar Medicaid and CHIP Program information about the territories as is provided about the states.
4. The Ensuring Terminated Providers are Removed from Medicaid and CHIP Act would require:
 - State Medicaid and CHIP programs to report providers terminated for cause to CMS
 - Providers participating in Medicaid or CHIP managed care to be enrolled with the state.

- CMS to include state-reported provider terminations and Medicare provider terminations in its Termination Notification Database or equivalent system.
 - States to pay back the federal portion of Medicaid and CHIP payments made to providers for services performed more than two months after a provider's termination is included in the CMS Termination Notification Database.
5. H.R. 2339: Would amend title XIX of the Social Security Act to clarify the treatment of lottery winnings and other lump sum income for purposes of income eligibility under the Medicaid program.
 6. H.R. 177: Would amend title XIX of the Social Security Act to count portions of income from annuities of a community spouse as income available to institutionalized spouses for purposes of eligibility for medical assistance, and for other purposes.

The bill language and witness testimony can be found at <http://energycommerce.house.gov/hearing/strengthening-medicaid-program-integrity-and-closing-loopholes>.

THE WEEK AHEAD: REGULATORY REFORM

The Congressional hearing schedule kicks off at a slow pace this week. On Wednesday, the Senate Homeland Security and Government Affairs committee will host a hearing to review regulatory reform proposals.

- <http://www.hsgac.senate.gov/hearings/a-review-of-regulatory-reform-proposals>

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