



**State of Florida
Department of Children and Families**

Rick Scott
Governor

David E. Wilkins
Secretary

February 21, 2013

Stephanie Kaminsky, Senior Policy Advisor
Centers for Medicare and Medicaid Services
Department of Health and Human Services
200 Independence Ave. SW
Washington, DC 20201

Submitted electronically to: www.regulations.gov
Attention: CMS-2334-P

Dear Ms. Kaminsky:

Thank you for the opportunity to comment on the January 22, 2013 proposed rule implementing provisions of the Affordable Care Act (ACA) for Medicaid and Children's Health Insurance Program (CHIP) eligibility. Florida like many other states is particularly concerned about the proposed requirements under §435.1205 that Medicaid and CHIP meet an October 1, 2013 schedule for the following:

- Accepting single streamlined applications for all Insurance Affordability Programs
- Determining eligibility using the new Modified Adjusted Gross Income (MAGI) related rules, while also determining eligibility using the 2013 rules
- Transferring electronic accounts and applications to other programs
- Receiving electronic accounts from other programs.

As you know, the challenges in implementing the provisions of the ACA are formidable. Issues related to system development, integration and federal system testing requirements, in light of pending policy guidance, makes achieving compliance with the January 1, 2014 deadline a challenge. This, along with the highly complex policy implementation needed as a result of substantial Medicaid Program changes from the ACA, places an unreasonable burden on states to be able to meet the proposed October 1, 2013 timeframe. The Department strongly recommends that the regulation enforce only the 2014 deadline. This would enable Florida and other states to continue to work in partnership with CMS and vendors to achieve not only compliance, but also assure an effective and quality transition to these changes, which as we all know will greatly impact how services are delivered to applicants and recipients.

Your consideration of this important provision and a reasonable time frame for compliance is appreciated. The Department of Children and Families is working diligently to achieve compliance and recognizes the importance of coordination across insurance affordability programs. Please contact me at (850) 487-1111 if you have any questions or need additional information.

Sincerely,

David E. Wilkins
Secretary