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Regulatory
Town Hall

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Exempt Action Final Regulation Agency Background Document

Agency name	DEPT OF MEDICAL ASSISTANCE SERVICES
Virginia Administrative Code (VAC) citation	12 VAC 30 -141-740
Regulation title	Family Access to Medical Insurance Security (FAMIS)
Action title	Expand Eligibility for FAMIS MOMS
Final agency action date	
Document preparation date	

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

This action implements a mandate of the 2009 General Assembly to expand eligibility for the FAMIS MOMS programs from those with an income up to 185% of the Federal Poverty Level (FPL) to those with an income up to 200% of the FPL. The mandate states as follows:

D. Effective July 1, 2009, the Department of Medical Assistance Services shall have the authority to amend the Family Access to Medical Insurance Security Plan and related regulations to expand medical coverage to pregnant women who are over the age of 19 who are ineligible for Medicaid and have annual family income less than or equal to 200 percent of the Federal Poverty Level and to simplify the administration of the premium assistance program available to families with children eligible for FAMIS who have access to an employer-sponsored

health insurance program. The medical coverage period shall apply to a woman during her pregnancy and extend no longer than the end of the month in which her 60-day postpartum period ends. Services provided during this coverage period shall include all services in the FAMIS State Plan with the exception of the Early Periodic Screening Diagnosis and Treatment Program. The department will continue to ensure the cost effectiveness of the premium assistance program.

In addition to expanding the eligibility for FAMIS MOMS, this mandates also requires simplifying the administration of the premium assistance program available to families with children for FAMIS who have access to an employer-sponsored health insurance program. This part of the mandate has already been addressed in a separate regulatory action.

This action meets the exemption provided by the *Code of Virginia* § 2.2-4006 (A) (4) (a) because it conforms these attached regulations to the requirements of Chapter 781, Item 305 D of the 2009 *Acts of Assembly* and does not materially differ. Additionally, the Agency has no discretion concerning the implementation of this mandated requirement.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

I hereby approve the foregoing Agency Background Document with the attached amended regulations, Family Access to Medical Insurance Security (FAMIS): FAMIS MOMS (12 VAC 30-141-740). I certify that this final regulatory action has completed all the requirements of the Code of Virginia § 2.2-4012, of the Administrative Process Act and that these regulations are full, true and correctly dated.

Date

Patrick W. Finnerty, Director
Dept. of Medical Assistance Services

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

These changes do not strengthen or erode the authority or rights of parents in the education, nurturing, and supervision of their children; or encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents. It does not strengthen or erode the marital commitment, but may decrease disposable family income depending upon which provider the recipient chooses for the item or service prescribed.