



Charles N. Kahn III
President and CEO

December 19, 2019

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
Hubert H. Humphrey Building
Washington, DC 20201

RE: Request for Comment Period Extension: CMS–2393–P, Medicaid Program: Medicaid Fiscal Accountability Regulation (Vol. 84, No. 222), November 18, 2019.

Dear Administrator Verma:

The Federation of American Hospitals (FAH) is the national representative of more than 1,000 investor-owned or managed community hospitals and health systems throughout the United States. Our members – all of whom treat Medicaid patients in their safety net role - include teaching and non-teaching full-service local hospitals in urban and rural parts of the United States, as well as inpatient rehabilitation, psychiatric, long-term acute care, and cancer hospitals. We write to request a 60-day extension to the comment period for the Centers for Medicare & Medicaid Services' (CMS) Medicaid Fiscal Accountability Regulation.

The policies in the Proposed Rule are complex and require significant analysis given the potential impacts on the Medicaid program and state budgets. As such, it is important that all stakeholders have sufficient time to provide CMS with thoughtful and instructive comments.

To that end, CMS should consider the myriad of stakeholders, including states, that should be heard by CMS as part of this process. Unfortunately, under the current timeline for comments, countless state legislatures, many of which won't come into session until mid-January, will not have sufficient time to analyze and comment on the proposal. Given the significant impact this rule could have on those state budgets, CMS should ensure enough time for such comments to be submitted.

Additionally, CMS's proposal also has the potential to negatively impact access to care for Medicaid beneficiaries and the providers that are entrusted to delivering that care. A comment extension would provide additional time to ensure that all impacted parties are heard by CMS.

The FAH asks CMS to extend the proposed rule comment deadline for at least an additional 60 days – to no earlier than March 17, 2020. Thank you for considering this request. Please contact me if you have questions, or feel free to have a member of your team contact Paul Kidwell at (202) 624-1500.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Kidwell". The signature is fluid and cursive, with a large, sweeping flourish at the end.