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Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

July 9, 2021

Chiquita Brooks-LaSure  
U.S. Department of Health and Human Services  
Administrator, Centers for Medicare and Medicaid Services (CMS)  
7500 Security Boulevard, Mail Stop: S2-26-12  
Baltimore, Maryland 21244-1850

Transmitted via E-Mail

**Subject: Spending plan to implement Section 9817 of the American Rescue Plan Act of 2021**

Dear Administrator Brooks-LaSure,

The State of Kansas welcomes the opportunity to share our initial spending plan and narrative in response to State Medicaid Director (SMD) Letter 21-003 dated May 13, 2021. In alignment with Section 9817 of the American Rescue Plan Act, please accept this letter and the accompanying documents as a summary of the key spending priorities to supplement eligible programs and services, and an outline of the projected savings and spending estimates.

The state's initial spending plan outlines targeted investments that will enhance and expand services and programs for the state's most vulnerable residents. Kansas agrees to submit quarterly spending plans and narratives by the deadlines outlined in SMD 21-003. Kansas further assures compliance with the following requirements:

- The federal funds attributable to the increased FMAP will be used to supplement and not supplant existing state funds invested in Medicaid HCBS programs in effect as of April 1, 2021.
- Kansas will use the funds attributable to the increased FMAP to both supplement current HCBS activities and to implement activities designed to substantially enhance its Medicaid HCBS programs.
- The state has not made changes to HCBS eligibility standards, methodologies or procedures that are stricter than the policies that were in place on April 1, 2021.

- The investments that the state is making to HCBS programs preserve the programs and services, including the amount, duration and scope of the services that were in place as of April 1, 2021.
- The state continues to pay HCBS providers at a rate equal to, or more than, the rates that were in place as of April 1, 2021.

Kansas will continue to update CMS on its implementation of section 9817 provisions via quarterly spending plan submissions. As Medicaid Director, I will coordinate the state's quarterly report submissions. Please direct any questions to me at [sarah.fertig@ks.gov](mailto:sarah.fertig@ks.gov). Kansas appreciates this opportunity and looks forward to working with the CMS team to finalize the state's initial plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Fertig". The signature is written in a cursive style with a large, stylized initial "S".

Sarah Fertig  
State Medicaid Director

Cc: Dr. Lee Norman, Secretary, Kansas Department of Health and Environment  
Laura Howard, Secretary, Kansas Department for Aging & Disability Services