

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES**  
**DIVISION OF MEDICAID AND MEDICAL ASSISTANCE**  
Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C., §512)

**FINAL**

**ORDER**

**Public Assistance Reporting Information System (PARIS)**

**NATURE OF THE PROCEEDINGS:**

Delaware Health and Social Services ("Department") / Division of Medicaid and Medical Assistance (DMMA) initiated proceedings to amend the Delaware Title XIX Medicaid State Plan regarding the *Public Assistance Reporting Information System (PARIS)*. The Department's proceedings to amend its regulations were initiated pursuant to 29 **Delaware Code** Section 10114 and its authority as prescribed by 31 **Delaware Code** Section 512.

The Department published its notice of proposed regulation changes pursuant to 29 **Delaware Code** Section 10115 in the November 2010 *Delaware Register of Regulations*, requiring written materials and suggestions from the public concerning the proposed regulations to be produced by November 30, 2010 at which time the Department would receive information, factual evidence and public comment to the said proposed changes to the regulations.

**SUMMARY OF PROPOSAL**

The proposal amends the Delaware Title XIX Medicaid State Plan regarding the *Public Assistance Reporting Information System (PARIS)*.

**Statutory Authority**

- Qualifying Individual (QI) Program Supplemental Funding Act of 2008, Public Law 110-379 (Pub. L. 110-379)
- Section 19032(r) of the Social Security Act
- 42 CFR §§435.940 through 435.960, *Income and Eligibility Verification Requirements*

**Background**

Section 3 of the Qualifying Individual (QI) Program Supplemental Funding Act of 2008 (the QI Funding Act) amended section 1903(r) of the Social Security Act (the Act) to require that States have eligibility determination systems that provide for data matching through the Public Assistance Reporting Information System (PARIS) project or any successor system. PARIS is a system for matching data from certain public assistance programs, including State Medicaid programs, with selected Federal and State data for purposes of facilitating appropriate enrollment and retention in public programs. This provision took effect on October 1, 2009.

Based on the provisions of the QI Funding Act, all States are required to sign an agreement to participate in PARIS as a condition of receiving Medicaid funding for automated data systems (including the Medicaid Management Information System). Prior to passage of the QI Funding Act, participation in the PARIS project was voluntary. PARIS is still a voluntary program with respect to the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance For Needy Families (TANF).

PARIS, a federal and state partnership, is administered by the Department of Health and Human Service's Administration for Children and Families (ACF), which provides all fifty states, Washington D.C., and Puerto Rico with data to help them maintain program integrity and detect or deter improper payments. PARIS has three components: an interstate match, a match against the Department of Veterans Affairs (VA), and a match against federal civilian and military wage and benefit payments.

State Public Assistance Agencies (SPAAs) enroll in PARIS and sign one or more matching agreements which permit them to participate in quarterly matches of client eligibility and enrollment data files. Under those agreements, in the months of February, May, August, and November of each year, SPAA applicant and recipient data files are transmitted to the Department of Defense (DoD) Manpower Data Center. There, the data files are processed and the results transmitted to participating (SPAAs).

Delaware participates in the Interstate and Veterans Affairs matches.

**Summary of Proposal**

Federal law requires States to use the Public Assistance Reporting Information System (PARIS) when determining Medicaid eligibility. On June 21, 2010, the Centers for Medicare and Medicaid Services (CMS) issued State Medicaid Director Letter (SMDL) #10-009. This letter provides guidance on implementing the requirements of Section 3 of the QI

Funding Act. In order to demonstrate compliance with the new requirements in section 1903 (r) of the Act, the Division of Medicaid and Medical Assistance (DMMA) will amend its Medicaid State plan to document its participation in PARIS at State plan Section 4.32(c).

The provisions of this amendment are subject to CMS approval.

**Fiscal Impact Statement**

These revisions impose no increase in cost on the General Fund.

**SUMMARY OF COMMENTS RECEIVED WITH AGENCY RESPONSE**

The Governor’s Advisory Council for Exceptional Citizens (GACEC) and the State Council for Persons with Disabilities (SCPD) offered the following observations and recommendations summarized below. The Division of Medicaid and Medical Assistance (DMMA) has considered each comment and responds as follows.

Consistent with the “Background” section in the regulation, federal law effective in 2009 requires states to sign an agreement to participate in a “Public Assistance Reporting Information System” (“PARIS”) as a precondition of receiving Medicaid funding for automated data systems. The PARIS system is operational in all fifty states to “maintain program integrity and detect or deter improper payments”. At 360. A June 21, 2010 CMS policy letter notes that PARIS has been operating since 1993. It permits states to identify cases in which persons are enrolled in Medicaid and other programs in more than one state. The CMS letter also recites that “PARIS may also be used as a tool to identify individuals who have not applied for Medicaid coverage, but who may be eligible based on their income.” The text of the proposed DMMA regulation is based on the model attached to the CMS letter.

Since DMMA is already participating in PARIS, and the regulation is essentially required to qualify for federal funding for automated data systems, the Councils **endorse** the proposed regulation. In addition, we have the following questions:

- Does DMMA utilize the PARIS system for other public benefits (e.g. food benefits)?
- Does DMMA use PARIS as a tool to identify individuals who have not applied for Medicaid coverage, but who may be eligible based on their income?

**Agency Response:** DMMA appreciates your endorsement. In response to your additional questions, data matching is run on all public benefit programs. Also, Federal law requires states to use PARIS when determining Medicaid eligibility; other reasons/situations are not identified. And, although, PARIS is an information sharing system that shares public assistance data among States to detect/deter and prevent improper payments, the information shared is limited to whether an individual is collecting benefits in more than one State, including VA benefits.

**FINDINGS OF FACT:**

The Department finds that the proposed changes as set forth in the November 2010 *Register of Regulations* should be adopted.

**THEREFORE, IT IS ORDERED**, that the proposed regulation to amend Delaware Title XIX Medicaid State Plan regarding the *Public Assistance Reporting Information System (PARIS)* is adopted and shall be final effective January 10, 2011.

Rita M. Landgraf, Secretary, DHSS

**DMMA FINAL ORDER REGULATION #10-58  
REVISION:**

Revision:

OMB Approval Number:

**STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
State: DELAWARE**

INCOME AND ELIGIBILITY VERIFICATION SYSTEM

435.940  
through 435.960  
FR 5967

4.32 Income and Eligibility Verification System

- (a) The Medicaid agency has established a system for income and eligibility verification in accordance with the requirements of 42 CFR 435.940 through 435.960. 435.960)
- (b) ATTACHMENT 4.32-A describes, in accordance with 42 CFR 435.948(a)(6), the information that will be requested in order to verify eligibility or the correct payment amount and the agencies and the State(s) from which that information will be requested.
- (c) The State has an eligibility determination system that provides for data matching through the Public Assistance Reporting Information System (PARIS), or any successor system, including matching with medical assistance programs operated by other States. The information that is requested will be exchanged with States and other entities legally entitled to verify title XIX applicants and individuals eligible for covered title XIX services consistent with applicable PARIS agreements.

**14 DE Reg. 658 (01/01/11)**