

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

[HCFA-2064 N]

RIN 0938-AJ77

### State Children's Health Insurance Program; Final Allotments to States, Commonwealths, and Territories for Fiscal Years 1998 and 1999

**AGENCY:** Health Care Financing Administration (HCFA), HHS.

**ACTION:** Notice.

**SUMMARY:** This notice sets forth the final allotments of Federal funding available to each State, Commonwealth and Territory for fiscal years (FYs) 1998 and 1999 under title XXI of the Social Security Act (the Act). The final allotments are the same as the reserved allotments previously published in the **Federal Register** on February 8, 1999.

Established by section 4901 of the Balanced Budget Act of 1997 (Public Law 105-33), title XXI of the Act authorizes payment of Federal matching funds to States, Commonwealths and Territories to initiate and expand health insurance coverage to uninsured, low-income children through a State Children's Health Insurance Program (SCHIP), an expansion of a State Medicaid program, or a combination of both.

Recent legislation, the Medicare, Medicaid and SCHIP Balanced Budget Refinement Act (BBRA) of 1999 (Public Law 106-113, enacted November 29, 1999), amended title XXI of the Act in part by modifying the allotment formula, effective with the FY 2000 allotments. The FY 1998 and 1999 allotments contained in this notice were determined under the allotment formula in existence prior to the enactment of Public Law 106-113.

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**FOR FURTHER INFORMATION CONTACT:** Richard Strauss, (410) 786-2019.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The reserved FY 1998 allotments were originally published on September 12, 1997 in the **Federal Register** (62 FR 48098). On February 8, 1999, revised reserved FY 1998 allotments and reserved FY 1999 allotments were published in the **Federal Register** (64 FR 6102). The allotments were originally published as reserved because not all States, Commonwealths, and Territories had submitted and had State child health plans approved by HCFA. Final allotments may only be provided to those with approved plans. For purposes of planning and budgeting, the reserved FYs 1998 and 1999 allotments were calculated as if all States, Commonwealths and Territories had approved State child health plans.

Public Law 105-174, enacted on May 1, 1998, provides that for purposes of the calculation of allotments, a State child health plan approved by HCFA on or after October 1, 1998, and before October 1, 1999, must be treated as having been approved for both FYs 1998 and 1999. Because all States, Commonwealths, and Territories had approved plans prior to the end of FY 1999, the final FYs 1998 and 1999 SCHIP allotments are available to all of them and are, therefore, the same as the reserved allotments published on February 8, 1999.

While none of the provisions of Public Law 106-113 take effect retroactively, one provision of the legislation is incorporated into this notice due to the fact that the new legislation was enacted prior to the publication of this final notice. Specifically, section 704 of the BBRA of

1999 requires that the program enacted by title XXI of the Act be referred to exclusively as "SCHIP" rather than "CHIP" and that the term "State children's health insurance program" be substituted for "children's health insurance program." This provision applies to the Secretary of the U.S. Department of Health and Human Services, as well as any other Federal officer or employee, in any publication or other official communication.

##### II. Purpose of This Notice

This notice sets forth the final allotments of Federal funding available to each State, Commonwealth and Territory for fiscal years (FYs) 1998 and 1999 under title XXI of the Social Security Act. Final allotments for a fiscal year are available to match expenditures under an approved State child health plan for three fiscal years, including the year for which the final allotment was provided. Federal funds appropriated for title XXI are limited, and the law specifies a formula to divide the total annual appropriation into individual allotments available for each State, Commonwealth and Territory with an approved child health plan, as described under section III of the February 8, 1999 **Federal Register** notice (64 FR 6102).

Section 2104(b) of the Act indicates that "the Secretary shall allot to each State \* \* \* with a State child health plan approved under this title." This language requires States, Commonwealths, and Territories to have an approved State child health plan for the fiscal year in order for the Secretary to provide an allotment for that fiscal year. If a State, Commonwealth, or Territory does not have an approved State child health plan for that fiscal year, the amount of their reserved allotment would be unavailable to them and would be allotted to those with approved State child health plans. On September 8, 1999, the last two States seeking approval for their State child health plans were granted approval. Since all States, Commonwealths, and Territories had approved plans prior to the end of FY 1999, this notice merely republishes as final the same FYs 1998 and 1999 allotments that were originally published as reserved allotments in the February 8, 1999 **Federal Register** notice.

We issued a proposed rule on March 4, 1999 in **Federal Register** (64 FR 10412), on the requirements for the allotment and payment process under title XXI. The allotments set forth in this notice were calculated in accordance

with the process set forth in that proposed rule.

For informational purposes, we are republishing the FYs 1998 and 1999 allotment charts below, which are the same as those published in the February 8, 1999 notice.

### III. Table of State Children's Health Insurance Program Final Allotments for FYs 1998 and 1999

#### Key to Tables I and II

##### Column/Description

Column A = Name of State, Commonwealth, or Territory.

Column B = Number of Children. The Number of Children for each State (provided in thousands) was determined and provided by the Bureau of the Census based on the arithmetic average of the number of low-income children and low-income children with no health insurance as calculated from the 1994, 1995, and 1996 March supplements to the Current Population Survey, as adjusted in August 1998. These data represent the number of people in each State under 19 years of age whose family income is at or below 200 percent of the poverty threshold appropriate for that family, and who are reported to be not covered by health insurance. The Number of Children for each State was developed by the Bureau of the Census based on the standard

methodology used to determine official poverty status and uninsured status in their annual Current Population Surveys on these topics. For FYs 1998 and 1999, the Number of Children is equal to the number of low-income children in each State with no health insurance for the fiscal year.

Column C=State Cost Factor. The State Cost Factor for a State is equal to the sum of: .15, and .85 multiplied by the ratio of the annual average wages in the health industry per employee for the State to the annual wages per employee in the health industry for the 50 States and the District of Columbia. The State Cost Factor for each State was calculated based on such wage data for each State as reported, determined, and provided to HCFA by the Bureau of Labor Statistics in the Department of Labor for 1993, 1994, and 1995.

Column D=Product. The Product for each State was calculated by multiplying the Number of Children in Column B by the State Cost Factor in Column C. The sum of the Products for all 50 States and the District of Columbia is below the Products for each State in Column D. The Product for each State and the sum of the Products for all States provides the basis for allotment to States.

Column E=Percent Share of Total. This is the calculated percentage share for each State of the total allotment

available to the 50 States and the District of Columbia. The Percent Share of Total is calculated as the ratio of the Product for each State in Column D to the sum of the products for all 50 States and the District of Columbia below the Products for each State in Column D.

Column F=Allotment. This is the State Child Health Program allotment for each State, Commonwealth, or Territory. For each of the 50 States and the District of Columbia, this is determined as the Percent Share of Total in Column E for the State multiplied by the total amount available for allotment for the 50 States and the District of Columbia for the fiscal year.

For each of the Commonwealths and Territories, the allotment is determined as the Percent Share of Total in Column E multiplied by the total amount available for allotment to the Commonwealths and Territories. For the Commonwealths and Territories, the Percent Share of Total in Column E is specified in section 2104(c) of the Act. For FY 1999, the Commonwealths and Territories were allotted an additional \$32 million, which is added to the total allotment available to them for FY 1999, determined by the formula described above. The total amount is then allotted to the Commonwealths and Territories according to the percentages specified in section 2104 of the Act.

BILLING CODE 4120-01-P

STATE CHILDREN'S HEALTH INSURANCE PROGRAM FINAL ALLOTMENTS FOR FISCAL YEAR:					1998
A	B	C	D	E	F
STATE	NUMBER OF CHILDREN (000)	STATE COST FACTOR	PRODUCT	PERCENT SHARE OF TOTAL (3)	ALLOTMENT (1)
ALABAMA	154	0.9510	146.46	2.04%	\$85,975,213
ALASKA	11	1.0669	11.74	0.16%	\$6,889,296
ARIZONA	190	1.0472	198.97	2.76%	\$116,797,799
ARKANSAS	92	0.8871	81.61	1.13%	\$47,907,958
CALIFORNIA	1,281	1.1365	1,455.92	20.23%	\$854,644,807
COLORADO	72	0.9888	71.19	0.99%	\$41,790,547
CONNECTICUT	53	1.1237	59.55	0.83%	\$34,959,075
DELAWARE	13	1.0553	13.72	0.19%	\$8,053,463
DISTRICT OF COLUMBIA	16	1.2857	20.57	0.29%	\$12,076,002
FLORIDA	444	1.0368	460.32	6.40%	\$270,214,724
GEORGIA	214	0.9923	212.36	2.95%	\$124,660,136
HAWAII	13	1.1722	15.24	0.21%	\$8,945,304
IDAHO	31	0.8726	27.05	0.38%	\$15,879,707
ILLINOIS	211	0.9892	208.73	2.90%	\$122,528,573
INDIANA	131	0.9169	120.12	1.67%	\$70,512,432
IOWA	67	0.8253	55.30	0.77%	\$32,460,463
KANSAS	60	0.8704	52.22	0.73%	\$30,656,520
KENTUCKY	93	0.9146	85.06	1.18%	\$49,932,527
LOUISIANA	194	0.8934	173.31	2.41%	\$101,736,841
MAINE	24	0.8863	21.27	0.30%	\$12,486,977
MARYLAND	100	1.0498	104.98	1.46%	\$61,627,358
MASSACHUSETTS	69	1.0576	72.97	1.01%	\$42,836,231
MICHIGAN	156	1.0001	156.02	2.17%	\$91,585,508
MINNESOTA	50	0.9675	48.37	0.67%	\$28,395,980
MISSISSIPPI	110	0.8675	95.43	1.33%	\$56,017,103
MISSOURI	97	0.9075	88.03	1.22%	\$51,673,123
MONTANA	24	0.8333	20.00	0.28%	\$11,740,395
NEBRASKA	30	0.8440	25.32	0.35%	\$14,862,926
NEVADA	43	1.2646	51.80	0.72%	\$30,407,067
NEW HAMPSHIRE	20	0.9760	19.52	0.27%	\$11,458,404
NEW JERSEY	134	1.1241	150.62	2.09%	\$88,417,899
NEW MEXICO	117	0.9169	107.28	1.49%	\$62,972,705
NEW YORK	399	1.0914	435.47	6.05%	\$255,626,409
NORTH CAROLINA	138	0.9815	135.45	1.88%	\$79,508,462
NORTH DAKOTA	10	0.8587	8.59	0.12%	\$5,040,741
OHIO	205	0.9617	197.16	2.74%	\$115,734,364
OKLAHOMA	170	0.8588	145.99	2.03%	\$85,699,061
OREGON	67	0.9947	66.65	0.93%	\$39,121,663
PENNSYLVANIA	200	1.0005	200.09	2.78%	\$117,456,521
RHODE ISLAND	19	0.9580	18.20	0.25%	\$10,684,422
SOUTH CAROLINA	110	0.9843	108.27	1.50%	\$63,557,819
SOUTH DAKOTA	17	0.8559	14.55	0.20%	\$8,541,224
TENNESSEE	115	0.9799	112.69	1.57%	\$66,153,082
TEXAS	1,031	0.9275	956.25	13.29%	\$561,331,521
UTAH	46	0.8977	41.30	0.57%	\$24,241,159
VERMONT	7	0.8604	6.02	0.08%	\$3,535,445
VIRGINIA	118	0.9862	116.38	1.62%	\$68,314,915
WASHINGTON	85	0.9352	79.49	1.10%	\$46,661,213
WEST VIRGINIA	45	0.8937	40.21	0.56%	\$23,606,744
WISCONSIN	75	0.9229	69.22	0.96%	\$40,633,039
WYOMING	15	0.8758	13.14	0.18%	\$7,711,638
TOTAL STATES ONLY			7,196.17	100.00%	\$4,224,262,500
ALLOTMENTS FOR COMMONWEALTHS AND TERRITORIES (2)					
PUERTO RICO				91.60%	\$9,835,550
GUAM				3.50%	\$375,813
VIRGIN ISLANDS				2.60%	\$279,175
AMERICAN SAMOA				1.20%	\$128,850
N. MARIANA ISLANDS				1.10%	\$118,113
TOTAL COMMONWEALTHS AND TERRITORIES ONLY				100.00%	\$10,737,500
TOTAL STATES AND COMMONWEALTHS AND TERRITORIES					\$4,235,000,000
FOOTNOTES					
(1) Total amount available for allotment to the 50 States and the District of Columbia is \$4,224,262,500; determined as the fiscal year appropriation (\$4,295,000,000) reduced by the total amount available for allotment to the Commonwealths and Territories (\$10,737,500) and amounts for Special Diabetes Grants (\$60,000,000) under sections 4921 and 4922 of BBA					
(2) Total amount available for allotment to the Commonwealths and Territories is \$10,737,500; determined as .25 percent of the fiscal year appropriation (\$4,295,000,000)					
(3) Percent share of total amount available for allotment to the Commonwealths and Territories is as specified in section 2104(c) of the Social Security Act					

STATE CHILDREN'S HEALTH INSURANCE PROGRAM FINAL ALLOTMENTS FOR FISCAL YEAR:					1999
A	B	C	D	E	F
STATE	NUMBER OF CHILDREN (000)	STATE COST FACTOR	PRODUCT	PERCENT SHARE OF TOTAL (3)	ALLOTMENT (1)
ALABAMA	154	0.9510	146.46	2.04%	\$85,569,176
ALASKA	11	1.0669	11.74	0.16%	\$6,856,760
ARIZONA	190	1.0472	198.97	2.76%	\$116,246,196
ARKANSAS	92	0.8871	81.61	1.13%	\$47,681,702
CALIFORNIA	1,281	1.1365	1,455.92	20.23%	\$850,608,561
COLORADO	72	0.9888	71.19	0.99%	\$41,593,182
CONNECTICUT	53	1.1237	59.55	0.83%	\$34,793,973
DELAWARE	13	1.0553	13.72	0.19%	\$8,015,429
DISTRICT OF COLUMBIA	16	1.2857	20.57	0.29%	\$12,018,971
FLORIDA	444	1.0368	460.32	6.40%	\$268,938,576
GEORGIA	214	0.9923	212.36	2.95%	\$124,071,402
HAWAII	13	1.1722	15.24	0.21%	\$8,903,057
IDAHO	31	0.8726	27.05	0.38%	\$15,804,712
ILLINOIS	211	0.9892	208.73	2.90%	\$121,949,905
INDIANA	131	0.9169	120.12	1.67%	\$70,179,422
IOWA	67	0.8253	55.30	0.77%	\$32,307,161
KANSAS	60	0.8704	52.22	0.73%	\$30,511,738
KENTUCKY	93	0.9146	85.06	1.18%	\$49,696,709
LOUISIANA	194	0.8934	173.31	2.41%	\$101,256,366
MAINE	24	0.8863	21.27	0.30%	\$12,428,004
MARYLAND	100	1.0498	104.98	1.46%	\$61,336,309
MASSACHUSETTS	69	1.0576	72.97	1.01%	\$42,633,928
MICHIGAN	156	1.0001	156.02	2.17%	\$91,152,976
MINNESOTA	50	0.9675	48.37	0.67%	\$28,261,873
MISSISSIPPI	110	0.8675	95.43	1.33%	\$55,752,550
MISSOURI	97	0.9075	88.03	1.22%	\$51,429,086
MONTANA	24	0.8333	20.00	0.28%	\$11,684,948
NEBRASKA	30	0.8440	25.32	0.35%	\$14,792,733
NEVADA	43	1.2046	51.80	0.72%	\$30,263,463
NEW HAMPSHIRE	20	0.9760	19.52	0.27%	\$11,404,289
NEW JERSEY	134	1.1241	150.62	2.09%	\$88,000,326
NEW MEXICO	117	0.9169	107.28	1.49%	\$62,675,303
NEW YORK	399	1.0914	435.47	6.05%	\$254,419,158
NORTH CAROLINA	138	0.9815	135.45	1.88%	\$79,132,966
NORTH DAKOTA	10	0.8587	8.59	0.12%	\$5,016,935
OHIO	205	0.9617	197.16	2.74%	\$115,187,783
OKLAHOMA	170	0.8588	145.99	2.03%	\$85,294,328
OREGON	67	0.9947	66.65	0.93%	\$38,936,902
PENNSYLVANIA	200	1.0005	200.09	2.78%	\$116,901,807
RHODE ISLAND	19	0.9580	18.20	0.25%	\$10,633,962
SOUTH CAROLINA	110	0.9843	108.27	1.50%	\$63,257,653
SOUTH DAKOTA	17	0.8559	14.55	0.20%	\$8,500,886
TENNESSEE	115	0.9799	112.69	1.57%	\$65,840,660
TEXAS	1,031	0.9275	956.25	13.29%	\$558,680,510
UTAH	46	0.8977	41.30	0.57%	\$24,126,675
VERMONT	7	0.8604	6.02	0.08%	\$3,518,748
VIRGINIA	118	0.9862	116.38	1.62%	\$67,992,282
WASHINGTON	85	0.9352	79.49	1.10%	\$46,440,845
WEST VIRGINIA	45	0.8937	40.21	0.56%	\$23,495,256
WISCONSIN	75	0.9229	69.22	0.96%	\$40,441,141
WYOMING	15	0.8758	13.14	0.18%	\$7,675,218
TOTAL STATES ONLY			7,196.17	100.00%	\$4,204,312,500
ALLOTMENTS FOR COMMONWEALTHS AND TERRITORIES (2)					
PUERTO RICO				91.60%	\$39,101,750
GUAM				3.50%	\$1,494,063
VIRGIN ISLANDS				2.60%	\$1,109,875
AMERICAN SAMOA				1.20%	\$512,250
N. MARIANA ISLANDS				1.10%	\$469,563
TOTAL COMMONWEALTHS AND TERRITORIES ONLY				100.00%	\$42,687,500
TOTAL STATES AND COMMONWEALTHS AND TERRITORIES					\$4,247,000,000
FOOTNOTES					
(1) Total amount available for allotment to the 50 States and the District of Columbia is \$4,204,312,500; determined as the fiscal year appropriation (\$4,275,000,000) reduced by the total amount available for allotment to the Commonwealths and Territories (\$10,687,500) and amounts for Special Diabetes Grants (\$60,000,000) under sections 4921 and 4922 of BBA					
(2) Total amount available for allotment to the Commonwealths and Territories is \$42,687,500; determined as \$10,687,500 (.25 percent of \$4,275,000,000, the fiscal year appropriation) plus \$32,000,000					
(3) Percent share of total amount available for allotment to the Commonwealths and Territories is as specified in section 2104(c) of the Social Security Act					

### III. Impact Statement

HCFA has examined the impact of this notice as required by Executive Order 12866. Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when rules are necessary, to select regulatory approaches that maximize net benefits (including potential economic environments, public health and safety, other advantages, distributive impacts, and equity). We believe that this notice is consistent with the regulatory philosophy and principles identified in the Executive Order. The formula for the allotments is specified in the statute. Since the formula is specified in the statute, we have no discretion in determining the allotments.

The Unfunded Mandates Reform Act of 1995 requires that agencies prepare an assessment of anticipated costs and benefits before publishing any notice that may result in an expenditure in any year by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted each year for inflation). Because participation in the SCHIP program on the part of States is voluntary, any payments and expenditures States make or incur on behalf of the program that are not reimbursed by the federal government are made voluntarily. This notice will not create unfunded mandate on States, tribal or local governments. Therefore, we are not required to perform an assessment of the costs and benefits of these regulations.

Under Executive Order 12612, Federalism, we have reviewed this notice and determined that it does not significantly affect States' rights, roles, and responsibilities. Low-income children will benefit from payments under this program through increased opportunities for health insurance coverage.

We believe this notice has an overall positive impact by informing States, Commonwealths, and Territories of the extent to which they are permitted to expend funds under their State child health plans using their FYs 1998 and 1999 allotments.

In accordance with the provisions of Executive Order 12866, this notice was reviewed by the Office of Management and Budget.

(Section 1102 of the Social Security Act (42 U.S.C. 1302))

(Catalog of Federal Domestic Assistance Program No. 00.000, State Children's Health Insurance Program)

Dated: March 22, 2000.

**Nancy-Ann Min DeParle,**  
*Administrator, Health Care Financing,  
Administration.*

Dated: March 27, 2000.

**Donna E. Shalala,**  
*Secretary.*

[FR Doc. 00-12880 Filed 5-23-00; 8:45 am]

**BILLING CODE 4120-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

[HCFA-2067-N]

**RIN 0938-AJ94**

### State Children's Health Insurance Program; Final Allotments to States, the District of Columbia, and U.S. Territories and Commonwealths for Fiscal Year 2000

**AGENCY:** Health Care Financing Administration (HCFA), HHS.

**ACTION:** Notice.

**SUMMARY:** This notice sets forth the final allotments of Federal funding available to each State, the District of Columbia, and each U.S. Territory and Commonwealth for fiscal year (FY) 2000 under title XXI of the Social Security Act (the Act).

Established by section 4901 of the Balanced Budget Act (BBA) of 1997 (Public Law 105-33), title XXI of the Act authorizes payment of Federal matching funds to States, the District of Columbia, and U.S. Territories and Commonwealths to initiate and expand health insurance coverage to uninsured, low-income children under a new State Children's Health Insurance Program (SCHIP). States may implement SCHIP through a separate State program under title XXI, an expansion of a State Medicaid program under title XIX, or a combination of both. Recent legislation, the Medicare, Medicaid and SCHIP Balanced Budget Refinement Act (BBRA) of 1999 (Public Law 106-113, enacted November 29, 1999), amended title XXI of the Act in part by modifying the SCHIP allotment formula effective with the FY 2000 allotments. The FY 2000 allotments contained in this notice were determined under the new SCHIP allotment formula.

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**FOR FURTHER INFORMATION CONTACT:** Richard Strauss, (410) 786-2019.

### SUPPLEMENTARY INFORMATION:

#### I. Purpose of This Notice

This notice sets forth the allotments available to each State, the District of Columbia, and each U.S. Territory and Commonwealth for FY 2000 under title XXI of the Social Security Act (the Act). In prior years, we published "reserved" allotments at the beginning of the fiscal year and then "final" allotments at some later time, because it was not certain at the beginning of the fiscal year that every State, the District of Columbia, and every U.S. Territory and Commonwealth would qualify for an allotment. As we explain below, each State, the District of Columbia, and each U.S. Territory and Commonwealth has now qualified for an allotment by having an approved State child health plan for the fiscal year. Therefore, publication of "reserved" allotments is not necessary.

Final allotments for a fiscal year are available to match expenditures under an approved State child health plan for three fiscal years, including the year for which the final allotment was provided. Federal funds appropriated for title XXI are limited, and the law specifies a formula to divide the total annual appropriation into individual allotments