



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Departmental Appeals Board
Appellate Division, MS-6127
Room G-644, Cohen Building
330 Independence Avenue, SW
Washington, D.C. 20201

BY DAB E-FILE

August 8, 2018

Monica Leo, Staff Counsel
Charles Greenberg, Director of Policy
Stephanie Tourk, Staff Counsel
Texas Health & Human Services Commission
Office of the Chief Counsel
Brown-Heatly Building
4900 N. Lamar
4th Floor, Suite 4130
Austin, Texas 78751

Daniel R. Wolfe, Jr.
Rama Lagadapati
Assistant Regional Counsel
U.S. Department of Health & Human Services
Office of the General Counsel
1301 Young Street, Suite 1138
Dallas, Texas 75202

Lance J. Ramsey
Renee N. Rayne
Jeff M. Brinker
Gjerset & Lorenz, LLP
2801 Via Fortuna, Suite 500
Austin, Texas 78746

and

Thomas E. Dowdell
R. Jeffrey Layne
Benjamin H. Wallfisch
Frances M. Hansen
Norton Rose Fulbright US LLP
799 9th Street NW, Suite 1000
Washington, DC 20001-4501

Re: Decision in the Appeal of Texas Health and
Human Services Commission
Docket No. A-17-51
Decision No. 2886
Dated: August 7, 2018

Counsel:

Enclosed is a copy of the decision of the Departmental Appeals Board in the appeal identified above.

This decision is the final decision of the Secretary unless, within 60 days of the date of this decision, a party files a motion for reconsideration by the Board. If no motion for reconsideration is filed within that 60-day period, the State may obtain judicial review by filing, within that 60-day period, an action in any United States District Court located within the State or in the United States District Court for the District of Columbia. *See* 42 U.S.C. § 1316(e)(2)(B), (C).

Sincerely yours,

/s/ Judith Pichler

Judith Pichler
Deputy Director, Appellate Division

Enclosure

cc: Office of Financial Management, CMS
Center for Medicaid and CHIP Services, CMS
Office of the General Counsel, CMS Division