

# Exhibit G



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July 3, 2017

**VIA ELECTRONIC SUBMISSION**

The Honorable Thomas Price, Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W. Washington, DC 20201

Re: Healthy Indiana Plan 2.0 Amended Extension Proposal

Dear Secretary Price:

As you know, Indiana's section 1115 waiver renewal request is pending at CMS. The State recently added a work requirement to its renewal request. That addition, styled as an "amendment," is a substantive change, to say the least—yet, the public is not being given the opportunity for comment that CMS's own regulations require. Specifically, CMS has issued a Letter of Completeness to the State and opened the federal comment period while the State comment period was still open, and without waiting for the State to respond to the comments it received from the public. This process does not comply with 42 C.F.R. §§ 431.408 and 431.416, which envision that a State will conduct its public notice-and-comment process and respond to comments received before the federal comment period begins.

We therefore respectfully request that CMS rescind the Letter of Completeness until such time as the State submits all of the information required by 42 C.F.R. § 431.412(a)(1), including "a report of the issues raised by the public during the comment period" for the work requirement, as well as "how the State considered those comments when developing the demonstration application." *Id.* § 431.412(a)(1)(viii). Similarly, we respectfully request that CMS begin the comment period required by § 431.416(a) and (b) only after the State submits that information and a new Letter of Completeness is issued. We believe that CMS's failure to take these steps would contravene the regulations and render any final action unlawful.

Sincerely,

A handwritten signature in cursive script that reads "Jane Perkins".

Jane Perkins  
Legal Director