



# COMMONWEALTH of VIRGINIA

CHERYL J. ROBERTS  
DIRECTOR

## *Department of Medical Assistance Services*

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[www.dmas.virginia.gov](http://www.dmas.virginia.gov)

March 24, 2025

SUBJECT: Notice of Opportunity for Tribal Comment – State Plan Amendment related to Clinic Services.

Dear Tribal Leader and Indian Health Programs:

This letter is to notify you that the Department of Medical Assistance Services (DMAS) is planning to amend the Virginia State Plan for Medical Assistance with the Centers for Medicare and Medicaid Services (CMS). Specifically, DMAS is providing you notice about a State Plan Amendment (SPA) that the Agency will file with CMS in order to comply with a CMS [notice](#) indicating that:

“The completion of the [SPA] template is mandatory only for states that both cover the clinic services benefit and cover tribal clinics to allow clinic services to be provided outside of the clinic under the clinic services benefit ...”

DMAS covers the optional clinic services benefit, and covers tribal clinics, including the “outside of the clinic” benefit, and as a result, is required to file this SPA. The CMS notice was accompanied by a draft template.

CMS provided a final version of the template for the SPA on March 10, 2025. DMAS is including two attachments, the completed SPA template and a blank template. CMS has indicated that state Medicaid agencies must file a blank SPA by March 31, 2025 to preserve the option for a January 1, 2025 effective date, while allowing for a tribal consultation period before the completed SPA template is submitted. DMAS will submit a blank SPA template to CMS by March 31, 2025, and will submit a completed template after tribal consultation has occurred.

Virginia Medicaid covers:

- Medical and Behavioral Health Clinics;
- IHS and Tribal Clinics;
- Renal Dialysis Clinics; and
- Other Clinics, which include health department clinics, ambulatory surgery clinics, and family planning clinics.

The SPA template requires DMAS to list any limitations on clinic services. DMAS does not intend to make any changes to its practices regarding the scope of clinic services, but to clarify that clinic services provided under 42 CFR 440.90 do not include the following services: dental, pharmacy, home health, hospice, physical therapy, occupational therapy, speech language pathology,

transportation, 1915(c) waiver services, and community mental health services. To provide those services, clinics must enroll as that provider type and abide by the state plan requirements for those services. These limitations match longstanding DMAS practice.

In the completed SPA template, DMAS is required to define the scope of tribal clinic services and to confirm that clinic services can be provided outside of the four walls of the clinic. DMAS intends to clarify that the scope of tribal clinic services is the same as for non-tribal clinics. DMAS will also confirm in the completed SPA template that IHS and tribal clinic services can be provided outside of the clinic.

We encourage you to let us know if you have any comments or questions. The tribal comment period for this SPA is open through April 25, 2025. You may submit your comments directly to Meredith Lee, DMAS Policy Division, by phone (804) 371-0552, or via email: Meredith.Lee@dmas.virginia.gov. Finally, if you prefer regular mail you may send your comments or questions to:

Virginia Department of Medical Assistance Services  
Attn: Meredith Lee  
600 East Broad Street  
Richmond, VA 23219

Please forward this information to any interested party.

Sincerely,



Cheryl J. Roberts, JD  
Director