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## 42 C.F.R. § 430.42

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### Disallowance of claims for FFP.

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(a) *Notice of disallowance and of right to reconsideration.* When the Administrator or current Designee determines that a claim or portion of claim is not allowable, he or she promptly sends the State a disallowance letter that includes the following, as appropriate:

- (1) The date or dates on which the State's claim for FFP was made.
- (2) The time period during which the expenditures in question were made or claimed to have been made.
- (3) The date and amount of any payment or notice of deferral.
- (4) A statement of the amount of FFP claimed, allowed, and disallowed and the manner in which these amounts were computed.
- (5) Findings of fact on which the disallowance determination is based or a reference to other documents previously furnished to the State or included with the notice (such as a report of a financial review or audit) which contain the findings of fact on which the disallowance determination is based.
- (6) Pertinent citations to the law, regulations, guides and instructions supporting the action taken.
- (7) A request that the State make appropriate adjustment in a subsequent expenditure report.
- (8) Notice of the State's right to request reconsideration of the disallowance and the time allowed to make the request.
- (9) A statement indicating that the disallowance letter is the Department's final decision unless the State requests reconsideration under paragraph (b)(2) or (f)(2) of this section.

(b) *Reconsideration of a disallowance.* (1) The Administrator will reconsider Medicaid disallowance determinations.

(2) To request reconsideration of a disallowance, a State must complete the following:

(i) Submit the following within 60 days after receipt of the disallowance letter:

(A) A written request to the Administrator that includes the following:

- (1) A copy of the disallowance letter.
  - (2) A statement of the amount in dispute.
  - (3) A brief statement of why the disallowance should be reversed or revised, including any information to support the State's position with respect to each issue.
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