



## Department of Health

**KATHY HOCHUL**  
Governor

**JAMES V. McDONALD, M.D., M.P.H.**  
Commissioner

**JOHANNE E. MORNE, M.S.**  
Acting Executive Deputy Commissioner

September 29, 2023

The Honorable Janet Yellen  
Secretary of the Treasury  
Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

The Honorable Xavier Becerra  
Secretary of Health and Human Services  
Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201

Dear Secretary Yellen and Secretary Becerra,

The State of New York is writing to formally request that the U.S. Department of Treasury and U.S. Department of Health and Human Services pause its consideration of our pending 1332 State Innovation Waiver application.

Given the uncertainty surrounding the timing to release final regulations related to the current Basic Health Program (proposed in 88 FR 52262, 52542 (Aug. 8, 2023)), we request that consideration of our application resume once the relevant regulations have been finalized. I understand that we must resubmit certain components of our application with a new effective date.

Our team looks forward to continuing our work on this important project once the uncertainty has been resolved. Thank you for your consideration in this matter.

Sincerely,

James McDonald, M.D., M, P.H.  
Commissioner