

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



## **Disabled and Elderly Health Programs Group**

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December 12, 2016

Jennifer Kent, Director  
California Department of Health Care Services  
1501 Capitol Avenue, MS 0000, PO Box 997413  
Sacramento, CA 95899-7413

Dear Ms. Kent:

In response to the November 30, 2016 request from California's Department of Health Care Services, the Centers for Medicare & Medicaid Services (CMS) is granting a 90 day temporary extension of California's Nursing Facility/Acute Hospital (NF/AH) Home and Community-Based Services (HCBS) Waiver program (CMS control O139.R04), which is currently scheduled to expire on December 31, 2016. This extension allows this HCBS waiver to continue operating an additional 90 days through March 31, 2017 at cost and utilization levels approved for the fifth year of the waiver program with Federal financial participation.

The state submitted a renewal request for this waiver on September 29, 2016. However, during the review process CMS discovered that the state included a new rate reimbursement methodology for this waiver that was not included in the public input process for this waiver renewal application. Once the public comment period is complete and the state has reviewed the responses, CMS expects for the state to submit the waiver renewal by December 27, 2016. As authorized by regulations at 42 CFR §441.304(c), CMS is granting this temporary extension in order to allow the state to continue operating this waiver while CMS reviews the waiver renewal application after the state submits, and for the state to make any revisions necessary for approval.

If you have any questions about this temporary extension or need any assistance, please contact Kathleen Creggett, CMS RO analyst at (415) 744-3656 or by e-mail at [Kathleen.Creggett@cms.hhs.gov](mailto:Kathleen.Creggett@cms.hhs.gov) or Dianne Kayala, CMS CO analyst at (410) 786-3417 or by e-mail at [Dianne.Kayala@cms.hhs.gov](mailto:Dianne.Kayala@cms.hhs.gov).

Sincerely,

Alissa Mooney DeBoy, Deputy Group Director  
Disabled and Elderly Health Programs Group

cc: Henrietta Sam-Louie, Associate Regional Administrator  
Mari Cantwell, Chief Deputy Director  
Maha Edlbi, Chief, Long Term Care Waiver Administration Unit