

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



Center for Medicaid and CHIP Services
Disabled and Elderly Health Programs Group

September 27, 2012

Mr. Toby Douglas
Director
California Department of Health Care Services
1501 Capitol Avenue, Suite 6086
P.O. Box 997413, MS 4000
Sacramento, CA 95899-7413

Dear Mr. Douglas:

In response to the September 25, 2012 request from California Department of Health Care Services, the Centers for Medicare & Medicaid Services (CMS) is granting a temporary 90 day extension of California's Developmentally Disabled/ Continuous Nursing Care (DD/CNC) Home and Community-Based Services (HCBS) waiver, CMS control number CA 0795.00. This waiver is currently scheduled to expire on September 30, 2012. The extension allows for this waiver to continue operating through December 29, 2012, at cost and utilization levels approved for the third year of the waiver program, with Federal financial participation.

CMS is granting this temporary extension in order to provide additional time for State officials to address CMS comments regarding the impact of the transition of individuals currently served in this waiver to California's Nursing Facility/Acute Hospital (NF/AH) Waiver, CMS control number 0139.R04.

Thank you for your ongoing work with CMS staff during the process of revising and clarifying the waiver renewal application. If you need any assistance, feel free to contact feel free to contact Kathleen Creggett in the San Francisco Regional Office at (415) 744-3656 or Michele MacKenzie in my office at (410) 786-5929.

Sincerely,

A handwritten signature in black ink, which appears to read "Barbara Coulter Edwards". The signature is written in a cursive style and is positioned above the printed name.

Barbara Coulter Edwards
Director

cc: Michele MacKenzie, CMS CO
Kathleen Creggett, CMS RO

RE: REQUEST FOR TEMPORARY EXTENSION FOR CALIFORNIA SECTION 1915(c)
HCBS WAIVER #CA 0795.00

The California State Medicaid Agency is requesting a 90 day extension for its HCBS waiver that serves individuals with intellectual and developmental disabilities and individuals needing continuous nursing care (DD/CNC waiver). The current waiver expires on September 30, 2012. This temporary extension will allow the waiver to continue operating through December 29, 2012.

California is not planning to renew this waiver and intends to transition current participants to their Nursing Facility/Acute Hospital (NF/AH) Waiver, CA 0139.R04. California submitted an amendment to the CA 0139.R04 waiver on August 13, 2012 for this purpose. CMS sent questions to the State on 9/5/2012 and the State responses are currently under CMS review. CMS is working with the State to ensure that all individuals who are receiving services in the expiring CA 0795.00 waiver will be eligible to receive services in the CA 0139.R04 waiver. With this extension, CA will continue to provide services to eligible participants under the CA 0795.00 waiver until CMS approves the CA 0139.R04.01 amendment and the individuals are transitioned.

RO found that the CA DD/CNC waiver demonstrates compliance with the Medicaid statutory requirements for 1915(c) HCBS waiver programs.



TOBY DOUGLAS
Director

State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
Governor

September 25, 2012

Ms. Barbara Edwards, Director
Disabled and Elderly Health Programs Group
Department of Health & Human Services
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-14-26
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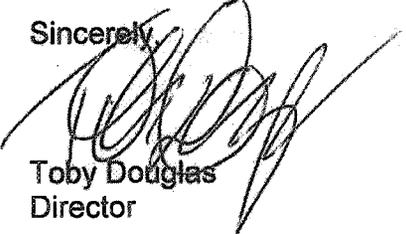
Dear Ms. Edwards:

The California Department of Health Care Services (DHCS) is requesting the Centers for Medicare and Medicaid Services (CMS) grant an extension of California's 1915(c) Home and Community Based Services (HCBS) Waiver for the Developmentally Disabled/ Continuous Nursing Care (DD/CNC) Waiver, control number CA.0795.R00, for a 90-day period from October 1, 2012 to December 31, 2012.

DHCS is currently working with CMS to address questions and comments identified during the merger of the DD/CNC and NF/AH Waivers. An extension will provide time needed to address these issues.

Your consideration of California's request for an extension of the DD/CNC Waiver is appreciated. If you have any questions, please contact Mr. Owen, Chief, In-Home Operations Branch (IHO), at (916) 552-9191, or by email at Dennis.Owen@dhcs.ca.gov.

Sincerely,



Toby Douglas
Director

cc: Please see next page

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Ms. Edwards
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cc: Kathryn Poisal
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