

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
San Francisco Regional Office  
90 Seventh Street, Suite 5-300 (5W)  
San Francisco, CA 94103-6706



**DIVISION OF MEDICAID & CHILDREN'S HEALTH OPERATIONS**

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October 4, 2018

Mari Cantwell, Chief Deputy Director  
California Department of Health Care Services  
P.O. Box 997413, MS 0000  
Sacramento, CA 95899-7413

Dear Ms. Cantwell:

I am pleased to inform you that your request to amend the California Section 1915(c) Home and Community-Based Services Assisted Living Waiver (ALW) has been approved. The amendment has been assigned Control Number 0431.R02.02 and is approved with a July 1, 2018 effective date.

This amendment allows the Department of Health Care Services to increase waiver slots by 2,000 in Waiver Year 5, update the cost neutrality demonstration to account for the increase in waiver slots, and to update their selection of entrants to the waiver by increasing the current enrollment ratio so that more individuals transitioning from institutions are prioritized entry into the waiver. The following services continue to be offered through the ALW waiver: assisted living services – homemaker, home health aide, personal care; care coordination; residential habilitation; augmented plan of care development and follow-up; and nursing facility transition care coordination.

It is important to note that CMS' approval of this waiver solely addresses the state's compliance with the applicable Medicaid authorities. CMS' approval does not address the state's independent and separate obligations under federal laws including, but not limited to, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, or the Supreme Court's Olmstead decision." Guidance from the Department of Justice concerning compliance with the Americans with Disabilities Act and the Olmstead decision is available at [http://www.ada.gov/olmstead/q&a\\_olmstead.htm](http://www.ada.gov/olmstead/q&a_olmstead.htm).

Mari Cantwell, Chief Deputy Director  
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We appreciate the cooperation of your staff during the amendment review process. If you or your staff have questions about this waiver amendment, please contact Kathleen Creggett at (415) 744-3656 or by email at [Kathleen.Creggett@cms.hhs.gov](mailto:Kathleen.Creggett@cms.hhs.gov).

Sincerely,

/s/

Dzung Hoang  
Acting Associate Regional Administrator  
Division of Medicaid & Children's Health Operations

cc: Joseph Billingsley, Chief, Long-Term Services & Supports Operation Branch, DHCS  
Jalal Haddad, Long-Term Care Division, DHCS  
Deanna Clark, CMS, CMCS