



Regional Operations Group

December 16, 2019

Mari Cantwell
Chief Deputy Director, Health Care Programs
Director's Office, MS 0000
P.O. Box 997413
Sacramento, CA 95899-7413

I am pleased to inform you that your request to amend the California Section 1915(c) Home and Community-Based Services Home and Community-Based Alternatives Waiver (HCBA) has been approved. The amendment has been assigned Control Number 0139.R05.02 and is approved with a January 1, 2020 effective date.

The amendment allows the Department of Health Care Services to update Appendix B-3, subsection f, Selection of Entrants to the waiver and modify the waiver enrollment policy to prioritize eligible individuals under the age of 21 into the waiver, and to include this population as one that is eligible for reserved waiver slots. Additionally, this amendment changes the number of days an individual must reside in a facility to be eligible for reserve capacity enrollment into the waiver from ninety (90) to sixty (60) days to align with other federal and state HCBS programs and assessments; increases the number of slots that are reserved for eligible populations in the fourth and fifth years of the waiver term to align with enrollment ratio requirements and projected increases in enrollment; and finally, to make minor non-substantive language edits in various parts of the amendment to ensure consistency throughout the document.

The following services continue to be offered through the HCBA waiver: case management, habilitation services, home respite, Waiver Personal Care Services (WPCS), community transition services, comprehensive care management, continuous nursing and supportive services, Developmentally Disabled/Continuous Nursing Care (DD/CNC) non-ventilator dependent services, Developmentally Disabled/Continuous Nursing Care (DD/CNC) ventilator dependent services, environmental accessibility adaptations, facility respite, family/caregiver training, medical equipment operating expense, Personal Emergency Response (PERS) installation and testing, Personal Emergency Response Systems (PERS) monthly, private duty nursing - including home health aide and shared services, and transitional case management.

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.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard C. Allen".

Richard C. Allen
Director
Western Regional Operations Group

cc: Jacey Cooper, Integrated Systems of Care Division, DHCS
Joseph Billingsley, Integrated Systems of Care Division, DHCS
Jalal Haddad, Integrated Systems of Care Division, DHCS
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