

**Maryland Medicaid Advisory Committee Monthly Waiver Reports
September 2022**

WAIVER AMENDMENTS	PURPOSE	COMMENTS
Appendix K (Autism, Brain Injury, Home and Community Based Options, MDC, and Model Waiver)	<p>This standalone appendix may be utilized by the state during emergency situations to request amendment to its approved waiver. It includes actions that states can take under the existing Section 1915(c) home and community-based waiver authority in order to respond to an emergency.</p> <p>All waivers have an approved Appendix K based on needs created during the COVID-19 pandemic.</p>	<p>12/17/21 - CMS approved the additive Appendix K to account for one-time rate increases in accordance with the eFMAP authorized through the American Rescue Plan Act.</p> <p>9/12/22 - CMS approved an additive Appendix K adding 200 waiver slots effective 7/1/22 - 6/30/23 for the Waiver for Children with Autism Spectrum Disorder.</p> <p>9/12/22 - CMS approved an additive Appendix K in order to allow individuals interested in applying for the Waiver for Adults with Brain Injury to be referred from private nursing facilities, in addition to the current entry points.</p> <p>9/12/22 - An additive Appendix K is pending approval by Medicaid leadership and will be submitted to CMS for a temporary 4% rate increase for FY23 only in accordance with the eFMAP authorized through the American Rescue Plan Act.</p>
Appendix K (Community Pathways, Community Supports, Family Supports Waivers)	The additive Appendix K relevant to the three HCBS Waivers operated by the DDA requests amendment to its approved waiver to implement provider rate increases resulting from the eFMAP.	8/30/22 - CMS approved the additive Appendix K to provide a 5.5% rate increase effective 4/1/21 for PT 41 providers for rate-based waiver services and a one-time 10% rate increase effective 1/1/22-3/31/22 for PT 41 and 36 providers for rate-based waiver services.

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1915(c) WAIVER NAME	RENEWAL STATUS
Medical Day Care Services	OLTSS has requested an extension to 9/25/22 to continue addressing a specific CMS concern in the waiver document.
Home & Community Based Options (HCBOW)	OLTSS has requested an extension to 9/30/22 to accommodate CMS' request for additional information.
1915(b)(4) Case Management Selective Contracting HCBOW	OLTSS has requested an extension to 9/30/22 to accommodate CMS' request for additional information.
Community Pathways Waiver, Community Supports Waiver, and Family Supports Waiver	The renewal applications for the three DDA-operated waivers are due to CMS on 6/30/23. OLTSS will submit the renewal applications to CMS in January 2023. The public comment period is open from 9/6/22 - 10/6/22. Details on the public comment period can be found here .

1915(c) WAIVER NAME	372 Due Date	372 SUBMITTED	372 APPROVED BY CMS
Family Supports, Community Supports, Model Waiver for Fragile Children, Community Pathways, Waiver for Children with Autism Spectrum Disorder, Brain Injury, Home & Community Based Options, and Medical Day Care Services	12/31/2021	All eight 372 reports were submitted to CMS by 12/29/21.	All 372 reports have been approved by CMS as of 4/28/22.
1915(c) WAIVER NAME	EBR Due	EBR SUBMITTED	EBR APPROVED BY CMS
Model Waiver for Fragile Children	10/01/2021	Evidence based report was submitted to CMS on 9/28/21.	CMS sent the final report on 6/16/22 reporting that five of the six assurances were met. Compliance with the health and welfare assurance will need to be demonstrated upon renewal of the waiver application on 6/30/23.
Community Pathways	10/01/2021	Evidence based report was submitted to CMS on 9/28/21.	CMS sent the final report on 6/23/22 reporting that four of the six assurances were met. Compliance with the qualified providers and service plan assurances will need to be demonstrated upon renewal of the waiver application on 6/30/23.
Community Supports	9/30/22	Evidence based report was received from CMS on 6/10/22.	Response due to CMS 9/30/22.
Family Supports	9/30/22	Evidence based report was received from CMS on 6/10/22.	Response due to CMS 9/30/22.
Autism Waiver	9/30/22	Evidence based report was received from CMS on 6/10/22.	Response due to CMS 9/30/22.

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CMS Regulation	Due Date	Purpose	Comments
Settings Rule	Maryland's Statewide Transition Plan is due to CMS 4/30/22	The 2014 CMS Settings Rule establishes requirements for home and community-based (HCBS) programs. The purpose of the rule is to maximize the opportunities for HCBS program participants to have access to community living and services in the most integrated setting. All community settings providing HCBS services must be in compliance with the rule by 3/17/23.	The final Statewide Transition Plan (STP) was sent to CMS on 4/29/22. Feedback was received from CMS on 6/10/22. OLTSS held a technical assistance call with CMS on 7/18/22, and submitted a response to CMS on 8/26/22. The final STP is pending approval by CMS. The settings team continues to assess provider compliance to prepare for the 3/17/23 deadline.