

**Maryland Medicaid Advisory Committee Monthly Waiver Reports
February 2023**

WAIVER AMENDMENTS	PURPOSE	COMMENTS
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.	<p>10/26/22 - An additive Appendix K that will expand reserve capacity, extend provider qualification flexibilities, and end residential retainer payments was submitted to CMS for review and approval.</p> <p>12/16/22 - Responded to CMS' questions for the most recent additive Appendix K submitted on 10/26/22.</p> <p>12/22/22 - CMS sent additional questions. DDA is preparing a response.</p> <p>2/9/23 - DDA prepared a response and submitted it to CMS for review and approval.</p>
Autism Waiver Amendment	<p>This waiver amendment includes:</p> <ol style="list-style-type: none"> 1. An increase to the approved total unduplicated number of participant slots for FY22 - FY24. 2. A change of service unit increments for respite care, adult life planning, family consultation, intensive individual support services, therapeutic integration, and intensive therapeutic integration to reflect a 15-minute unit increment. 3. A change to the daily minimum for therapeutic integration (regular and intensive) to a half hour unit instead of an hour. 4. A change to the educational requirement for Service Coordinators. 5. The addition of virtual supports as a service delivery option for individual intensive support services, therapeutic integration (regular and intensive), family consultation and adult life planning. 6. The lowering of the age requirement and removal of the lifetime limitation for adult life planning. 7. A change to allow adult life planning services while receiving residential habilitation. 8. A change to qualified assessor for level of care to include licensed psychologist, licensed clinical social worker, licensed clinical professional counselor, certified school psychologist, or an approved service coordinator employed or contracted by the local lead agency, the local education agency, the State, or the State's designee. 9. The qualified assessor will also make determinations for Environmental Accessibility Adaptations. 10. A modification to the degree requirement for Adult Life Planners and Supervisors from a master's degree to a bachelor's degree. 11. A removal of the high school diploma requirement and the addition of a minimum age requirement of 16 for direct care workers for residential habilitation (regular and intensive), intensive individual support services, respite care and therapeutic integration (regular and intensive) 12. An update to the provider enrollment process due to the implementation of the electronic provider revalidation and enrollment portal(ePREP) 13. A change to the participants' multidisciplinary team. 	<p>1/29/23 - End of 30-day public comment period for the Autism Waiver amendment. Feedback received is under review by OLTSS & MSDE. Submission to CMS will occur in late February or early March 2023.</p>

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1915(c) WAIVER NAME	RENEWAL STATUS
Medical Day Care Services	OLTSS has requested an extension to 3/22/23 to continue addressing a specific CMS concern in the waiver document.
Community Pathways Waiver, Community Supports Waiver, and Family Supports Waiver	The renewal applications for the three DDA-operated Waivers were submitted as follows: Community Pathways Waiver on 1/10/23 and Community Supports and Family Supports Waivers on 1/26/23. OLTSS is awaiting feedback or approval from CMS.
Model Waiver	The renewal application is due to CMS by 6/30/23. OLTSS is drafting the renewal application for a 30-day public comment period to start on or before February 17, 2023.

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	12/31/2022	The 372 report for each waiver program has been submitted to CMS as of 1/9/23.	Pending review and approval by CMS.

1915(c) WAIVER NAME	EBR Due	EBR SUBMITTED	EBR APPROVED BY CMS
Community Supports	10/17/22	Evidence based report was received on 6/10/22.	EBR submitted to CMS for review on 10/15/22. CMS provided a draft report on 1/19/23. DDA is drafting a response to the CMS report.
Family Supports	10/17/22	Evidence based report was received on 6/10/22.	EBR submitted to CMS for review on 10/15/22. CMS provided a draft report on 1/19/23. DDA is drafting a response to the CMS report.
Autism Waiver	10/17/22	Evidence based report was received on 6/10/22.	EBR submitted to CMS for review on 10/14/22. CMS provided a draft report on 1/20/23. MSDE is drafting a response to the CMS report.

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CMS Regulation	Due Date	Purpose	Comments
Settings Rule	Maryland's Statewide Transition Plan (STP) 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 STP was submitted to CMS on 4/29/22. Since that time, OLTSS has been working with CMS to obtain final approval for the STP. Most recently OLTSS provided a response on 2/13/23 to the round of questions received from CMS on 2/9/23. Additionally, on 12/1/22, OLTSS submitted a corrective action plan (CAP) to CMS requesting additional time beyond 3/17/23. If the CAP is approved, certain non-compliant provider settings will have additional time to come into compliance with the settings rule. The settings team continues to assess provider compliance to prepare for the 3/17/23 deadline. The STP and CAP are pending approval by CMS.