



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

October 23, 2013

Cindy Mann
Director
Center for Medicaid and CHIP Services
Centers for Medicare and Medicaid Services
Department of Health and Human Services
Mail Stop S2-26-12
7500 Security Boulevard
Baltimore, MD 21244

Dear Ms. Mann,

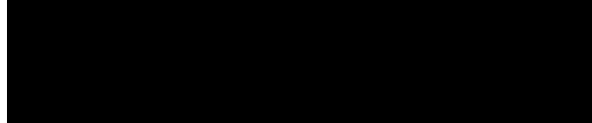
Maryland received the new Special Terms and Conditions for its HealthChoice 1115 demonstration last Friday. We noticed that the Special Terms and Conditions omitted an eligibility change Maryland requested in its renewal application. Specifically, our waiver application requested a change to the eligibility criteria for the Increased Community Services (ICS) Program. The Department requested that eligibility for the ICS program be made available to an individual who:

- Resides (and has resided for a period of not less than 90 consecutive days) in a nursing facility. Any days that an individual resides in an institution on the basis of having been admitted solely for purposes of receiving short-term rehabilitative services for a period for which payment for such services is limited under title XVIII shall not be taken into account for purposes of determining the 90-day nursing home stay requirement and is receiving Medicaid benefits for nursing home services furnished by such nursing facility;
or
- Is currently receiving services through the Living at Home or Older Adults waiver, and whose income exceeds the income eligibility threshold by no more than 5 percent, because, for instance, the individual received an automatic cost-of-living adjustment. These individuals would be permitted to transition directly into the ICS program as long as they continued to meet the nursing home level-of-care standard. The 90-day nursing home stay requirement would not apply to these individuals.

Additionally, we noticed on that expenditure authority was provided to offer ICS recipients a limited benefit program. ICS recipients actually are eligible for full State Plan benefits in addition to the home- and community-based services listed in Attachment A in the STCs.

We appreciate CMS making these technical corrections to our STCs. If you have any questions please contact Tricia Roddy, Director, Planning Administration at 410-767-5809.

Sincerely,



Charles J. Milligan, Jr.
Deputy Secretary
Health Care Financing

cc: Eliot Fishman, CMS
Elizabeth Matthews, CMS
Andrea Cunningham, CMS