



June 25, 2024

Lee Grossman
Medicaid Director
Wyoming Department of Health
Division of Healthcare Financing
122 West 25th St., 4 West
Cheyenne, WY 82002

RE: Wyoming Renewal for Waivers WY-0451.R04 and WY-01.R02

Dear Director Grossman:

The Centers for Medicare & Medicaid Services (CMS) is approving Wyoming's request to renew its 1915(c) home and community-based services (HCBS) Children's Mental Health Waiver, for children age 4 through 21 meeting the waiver's clinical and eligibility requirements and who would otherwise require a hospital level of care. The waiver offers the following service: youth and family training and support. This waiver is assigned WY-0451.R04, which should be referenced in all future correspondence relating to this waiver.

The 1915(c) waiver renewal makes the following changes:

- Includes individual service provision in addition to the group service modality;
- Aligns the rate with the peer support services rate provided under the state Plan's Targeted Case Management for children with Serious Emotional Disturbance;
- Increases the individual rate for the Youth and Family Training and Support (YFTS) service to \$14.04 per fifteen minute unit and the individual modality will be reimbursed at \$7.02 per fifteen minute unit;
- Updates performance measures; and
- Removes the cost limit.

The following estimates of utilization and cost have been approved:

Waiver Year	Unduplicated Recipients	Average Cost per Participant (Factor D)	Total Waiver Costs
WY1 July 1, 2024 – June 30, 2025	135	14.68	\$113815
WY2 July 1, 2025 – June 30, 2026	135	14.68	\$113815
WY3 July 1, 2026 – June 30, 2027	135	14.68	\$113815
WY4 July 1, 2027 – June 30, 2028	135	14.68	\$113815
WY5 July 1, 2028 – June 30, 2029	135	14.68	\$113815

It is important to note that CMS' approval of the 1915(c) action 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, §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.

Concurrently, CMS is approving Wyoming's request to renew its 1915(b) Waiver, CMS control number WY-01.R02, titled Wyoming's Care Management Entity (CME). This waiver allows Wyoming to mandatorily enroll eligible youth with serious emotional/behavioral challenges into a non-risk PAHP, as well as to provide respite care as a 1915(b)(3) service to all eligible children enrolled in the PAHP. This 1915(b) waiver is authorized under sections 1915(b)(1), 1915(b)(3), and 1915(b)(4) of the Social Security Act and provides a waiver of the following sections of Title XIX:

- Section 1902(a)(10)(B) Comparability
- Section 1902(a)(23) Freedom of Choice
- Section 1902(a)(4) Single PAHP

Our decision is based on the evidence submitted to CMS demonstrating that the state's proposal is consistent with the purposes of the Medicaid program, will meet all the statutory and regulatory requirements for assuring beneficiaries' access to and quality of services, and will be a cost-effective means of providing services to enrollees under this waiver.

The state will report all 1915(b) waiver expenditures on the applicable CMS 64.9 WAIV forms in MBES.

Approved MEGs	Form/Waiv Name	New/Existing/Modified
<i>State Plan Enrolled Youth</i>	<i>64.9 WAIV</i>	<i>Existing</i>
<i>CMHW 1915(c) Enrolled Youth</i>	<i>64.9 WAIV</i>	<i>Existing</i>

Wyoming is responsible for documenting the applicable cost-effectiveness and quality in subsequent renewal requests for this authority. On a quarterly basis, the state is required to submit to CMS the previous quarter's member months by approved MEG on the attached "1915(b) Worksheet for State Reporting of Member Months." The report is due 30 days after the end of each quarter and should be submitted to the DMCO Actions mailbox, MCGDMCOActions@cms.hhs.gov. The State should also conduct its own quarterly calculations using Tab D6 of the approved 1915(b) Waiver Cost Effectiveness Worksheets and request an amendment to the waiver should the State discover the waiver's actual costs are exceeding projections. Additionally, the State must submit a waiver amendment to reflect any major changes impacting the program, including changes in waivers/statutory authority needed, type/number of delivery systems, geographic areas, populations, services, quality/access, monitoring plan.

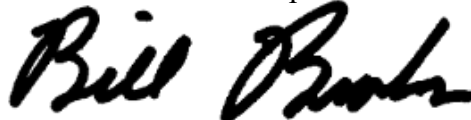
The state must arrange for an independent evaluation or assessment (IA)¹ of their 1915(b) waiver program and submit the findings when renewing the section 1915(b) waiver program. The IA should be submitted with the waiver renewal request ninety (90) days before the expiration of the approved waiver program, March 31, 2029.

These waiver actions are effective for five years beginning July 1, 2024 through June 30, 2029 and operate concurrently. The state may request renewal of these waiver authorities by providing evidence and documentation of satisfactory performance and oversight. Wyoming's request that these waiver authorities be renewed should be submitted to the CMS no later than March 31, 2029.

We appreciate the cooperation and effort provided by you and your staff during the review of these concurrent actions. If you have any questions concerning this information, please contact Elizabeth Heintzman at (206) 615-2596 or elizabeth.heintzman@cms.hhs.gov for the 1915(c) waiver or Claudia Simonson at 312-353-2115 and claudia.simonson@cms.hhs.gov for the 1915(b) waiver and managed care actions.

Sincerely,

George P. Failla, Jr., Director
Division of HCBS Operations and Oversight



Bill Brooks, Director
Division of Managed Care Operations

Enclosure: 1915(b) Worksheet for State Reporting of Member Months

Cc:

Scott Timmons; Dominique Mathurin;
Cynthia Garraway; Jessica Loehr; Lajoshica Smith; Ford Blunt

¹ [State Medicaid Director Letter, "Independent Assessment Requirement for Section 1915\(b\) Waiver Programs: Guidance to States."](#)