

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



**Disabled and Elderly Health Programs Group**

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August 13, 2021

Stephanie Azar  
Commissioner  
Alabama Medicaid Agency  
508 Dexter Avenue  
Montgomery, AL 36104-5624

Dear Ms. Azar:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Alabama's request to amend the following 1915(c) Home and Community-Based Services (HCBS) waivers with the Emergency Preparedness and Response Appendix K in order to respond to the COVID-19 pandemic:

| WAIVER TITLE  | CMS AMENDMENT CONTROL NUMBER |
|---|------------------------------|
| Home and Community-Based Waiver for Persons with Intellectual Disabilities (ID) | AL.0001.R09.04               |
| HCBS Living at Home (LAH) Waiver for Persons with ID                            | AL.0391.R04.04               |

The state's approved Appendix K is effective from January 27, 2020 through six months after the end of the Public Health Emergency (PHE). CMS notes the state is applying a temporary increase to the waiver cost limit to the LAH Waiver and increasing rates for several services in both the LAH and ID waivers. The amendments that the state has requested in the Appendix K are additive to those previously approved and are effective from May 1, 2021 through November 30, 2021; they apply in all locations served by the individual waivers for anyone impacted by COVID-19.

Please note the guidance issued in the December 22, 2020 State Health Official Letter (SHO); specifically, the requirement for advance notice of beneficiaries. When closing an Appendix K or ending an Appendix K flexibility prior to the end date of the Appendix K, the requirement for advance notice of beneficiaries applies. More details can be found on pages 11-12 of the SHO.

CMS reminds the state that the state must have an approved spending plan in order to use the money realized from section 9817 of the American Rescue Plan (ARP). Approval of this action does not constitute approval of the state's spending plan.

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We have included the approved Appendix K pages with this correspondence. Please utilize the waiver management system for HCBS waivers for any further amendments to these waiver programs other than the Appendix K.

If you need assistance, feel free to contact Bernice Denbow of my staff at 410-767-6777 or by e-mail at [bernice.denbow@cms.hhs.gov](mailto:bernice.denbow@cms.hhs.gov) or Mary Marchioni at 303-844-7094 or by e-mail at [mary.marchioni@cms.hhs.gov](mailto:mary.marchioni@cms.hhs.gov).

Sincerely,

Alissa Mooney DeBoy  
Director, DEHPG

Enclosure