

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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October 17, 2022

Stephen Groff, Director  
Division of Medicaid and Medical Assistance  
1901 North Dupont Highway  
Lewis Building  
New Castle, DE 19720

Dear Director Groff:

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

WAIVER TITLE	CMS AMENDMENT CONTROL NUMBER
DDDS Lifespan waiver	DE.0009.R08.07

The state's approved Appendix K is effective from January 27, 2020 through six months after the end of the Public Health Emergency (PHE). The amendment that the state has requested in the Appendix K is additive to those previously approved; it applies in all locations served by the individual waivers for anyone impacted by COVID-19. CMS acknowledges effective August 15, 2022, the state will authorize providers of the identified services within the Appendix K to use alternate sources to conduct the background checks.

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.

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 Appendix K.

If you need assistance, feel free to contact Daphne Hicks of my staff at 214-767-6471 or by e-mail at [Daphne.Hicks@cms.hhs.gov](mailto:Daphne.Hicks@cms.hhs.gov) or Marge Sciulli at 410-786-0691 or by e-mail at [Margherita.Sciulli@cms.hhs.gov](mailto:Margherita.Sciulli@cms.hhs.gov).

Sincerely,

Alissa Mooney DeBoy  
Director, DEHPG

Enclosure