

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

March 29, 2021

Lisa Lee, Commissioner
Department for Medicaid Services
275 East Main Street 6W-A
Frankfort, KY 40621

Dear Commissioner Lee:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Kentucky'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 | KY.0144.R06.03 |
| Supports for Community Living waiver | KY.0314.R04.04 |
| Acquired Brain Injury waiver | KY.0333.R04.03 |
| Michelle P. waiver | KY.0475.R02.03 |
| Acquired Brain Injury, Long Term Care waiver | KY.0477.R02.03 |
| Model Waiver II | KY.40146.R06.03 |

The amendments that the state has requested in the Appendix K are additive to those previously approved and are effective from March 6, 2020 to six months after the end of the federal public health emergency (PHE) for COVID-19; 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.

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.

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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 or Mary Marchioni at 303-844-7094 or by e-mail at mary.marchioni@cms.hhs.gov.

Sincerely,

Alissa Mooney DeBoy
Director, DEHPG

Enclosure