

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 3, 2023

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.R07.04
Supports for Community Living waiver	KY.0314.R04.09
Acquired Brain Injury waiver	KY.0333.R04.08
Michelle P. waiver	KY.0475.R02.08
Acquired Brain Injury, Long Term Care waiver	KY.0477.R02.08

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. CMS acknowledges the state will temporarily implement a ten percent rate increase beginning July 1, 2022 through June 30, 2023 or until funds through section 9817 of the American Rescue Plan (ARP) are exhausted, whichever is earlier.

The state has identified its intent to use money realized from section 9817 of the ARP. Approval of this action does not constitute approval of the state's spending plan. The state must have an approved spending plan in order to use the money realized from section 9817 of the ARP.

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 Daphne Hicks of my staff at 214-767-6471 or by e-mail at Daphne.Hicks@cms.hhs.gov or Marge Sciulli at 410-786-0691 or by e-mail at Margherita.Sciulli@cms.hhs.gov.

Sincerely,

Melissa L. Harris, Deputy Director
DEHPG

Enclosure