

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



Medicaid Benefits and Health Programs Group

February 6, 2024

Ryan Moran, Deputy Secretary and Medicaid Director
Maryland Department of Health
201 West Preston Street, Room 525
Baltimore, MD 21201

Dear Deputy Secretary Moran,

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

WAIVER TITLE	CMS AMENDMENT CONTROL NUMBER
Waiver for Children with Autism Spectrum Disorder	MD.0339.R04.11
Waiver for Adults with Brain Injury	MD.40198.R04.05
Home and Community-Based Options Waiver	MD.0265.R06.02
Model Waiver for Fragile Children (Model Waiver)	MD.40118.R08.02
Medical Day Care Services Waiver	MD.0645.R03.02

The state's approved Appendix K is effective from March 13, 2020 through six months after the end of the Public Health Emergency (PHE). Flexibilities have been ended at various effective dates as identified in the Appendix K document.

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. Approval of this action does not constitute approval of the state's spending plan.

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 Appendix K.

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If you need assistance, feel free to contact Bernice Denbow of my staff at 410-786-6777 or by e-mail at Bernice.Denbow@cms.hhs.gov or Margherita Sciulli at 410-786-0691 or by e-mail at Margherita.Sciulli@cms.hhs.gov.

Sincerely,

Alissa Mooney DeBoy, Director
MBHPG

Enclosure