

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 23, 2021

Cynthia MacDonald  
Assistant Commissioner and Medicaid Director  
Health Care Administration  
Minnesota Department of Human Services  
P.O. Box 64984  
St. Paul, MN 55164-0984

Dear Ms. MacDonald:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Minnesota'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
Elderly Waiver	MN.0025.R08.19
Brain Injury Waiver	MN.4169.R06.03
Community Access for Disability Inclusion	MN.0166.R07.08
Community Alternative Care	MN.4128.R07.17
Developmental Disabilities Waiver	MN.0061.R07.21

The state's approved Appendix K is effective from March 13, 2020 through six months after the end of the Public Health Emergency (PHE). The amendment that the state has requested in the Appendix K modifies the end date of the flexibility that allowed parents of minor children and spouses to provide personal assistance for more than 40 hour per week. Previously, the flexibility was effective from November 12, 2020 to six months after the end of the PHE. This flexibility is now effective from November 12, 2020 to August 31, 2021. The Appendix K applies 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.

Ms. MacDonald – Page Two

If you need assistance, feel free to contact Ryan Shannahan of my staff at 410-786-0295 or by e-mail at [Ryan.Shannahan@cms.hhs.gov](mailto:Ryan.Shannahan@cms.hhs.gov) or Ralph Lollar at 410-786-0777 or by e-mail at [Ralph.Lollar@cms.hhs.gov](mailto:Ralph.Lollar@cms.hhs.gov).

Sincerely,

Alissa Mooney DeBoy  
Director, DEHPG

Enclosure