

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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December 15, 2022

Todd Richardson, Director  
MO HealthNet Division  
P.O. Box 6500  
Jefferson City, MO 65102-6500

Dear Director Richardson:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Missouri'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
Medically Fragile Adult Waiver	MO.40190.R05.05

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 amendments that the state has requested in the Appendix K are additive to those previously approved. CMS notes the state is rescinding flexibilities as identified in the Appendix K effective February 1, 2023. Additionally, effective April 1, 2023, the state is rescinding the flexibility which allows family members to be paid to render services to an individual. Lastly, the state is rescinding several flexibilities related to the Private Duty Nursing service effective at the end of the federal public health emergency. The amendments apply in all locations served by the individual waivers for anyone impacted by COVID-19.

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](mailto:Bernice.Denbow@cms.hhs.gov) or Margherita 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