

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

May 4, 2022

Amir Bassiri
Acting Medicaid Director
New York State Department of Health
99 Washington Avenue, Suite 1715
Albany, NY 12210

Dear Mr. Bassiri:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving New York'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
Office for People with Developmental Disabilities Comprehensive HCBS Waiver	NY 0238.R06.10

The state's approved Appendix K is effective from March 7, 2020 through six months after the end of the federal Public Health Emergency (PHE) for COVID-19. This submission delays two rate methodology changes previously approved in the base waiver on March 7, 2020 and October 1, 2020, respectively, that would have had the effect of reducing waiver service payment rates. These changes are delayed until six months after the end of the federal PHE. The amendments that the state has requested in this Appendix K are additive to those previously approved. The Appendix K applies 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.

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 this waiver program other than the Appendix K.

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 or Margherita Sciulli at 410-786-0691 or by e-mail at Margherita.Sciulli@cms.hhs.gov.

Sincerely,

Alissa Mooney DeBoy
Director, DEHPG

Enclosure