

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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March 28, 2023

Sally Kozak, Medicaid Director  
Office of Medical Assistance Programs  
625 Forester Street, Health and Welfare Building  
Harrisburg, PA 17120

Dear Director Kozak:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Pennsylvania'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
OBRA Waiver	PA.0235.R06.05
Community Health Choices Waiver	PA.0386.R04.13

The state's approved Appendix K is effective March 6, 2020 through six months after the end of the federal public health emergency (PHE) for COVID-19. The amendments that the state has requested in the Appendix K are additive to those previously approved; they apply in all locations served by the individual waivers for anyone impacted by COVID-19. With this Appendix K amendment, the state is amending the end date of the Appendix K from six months after the end of the PHE to the end date of May 11, 2023. The state will end all flexibilities approved within the Appendix K in order to return to pre-emergency operations as approved in the base waivers.

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.

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](mailto:Daphne.Hicks@cms.hhs.gov) or Marge 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