

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 4, 2022

William Snyder, Director  
Department of Social Services  
700 Governors Drive  
Pierre, SD 57501

Dear Mr. Snyder:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving South Dakota'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 |
|---------------------------|------------------------------|
| Family Support 360 waiver | SD.0338.R04.02               |

The amendment that the state has requested in the Appendix K is additive to those previously approved and is effective from June 1, 2020 to six months after the end of the federal Public Health Emergency (PHE) for COVID-19; it applies in all locations served by the individual waiver for anyone impacted by COVID-19. With this amendment, the state is extending the end date of the Appendix K from January 26, 2021 to six months after the end of the PHE while allowing the flexibilities scheduled to end on January 26, 2021 to expire effective on that date. CMS acknowledges effective March 1, 2022, the state will make one-time supplemental payments to providers who qualify for the payment utilizing funds authorized by section 9817 of the American Rescue Plan (ARP).

The state has identified its intent to use money realized from section 9817 of the ARP. Approval of this action does not constitute approval of the state's spending plan. The state must have an approved spending plan in order to use the money realized from section 9817 of the ARP.

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.

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