

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 22, 2023

Jamie Kuhn, State Medicaid Director  
State of Wisconsin Department of Health Services  
1 West Wilson Street  
P.O. Box 309  
Madison, WI 53701-0309

Dear Director Kuhn:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Wisconsin'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 Care Waiver Renewal 2020	WI.0367.R04.03

The state's approved Appendix K is effective from March 1, 2020 through six months after the end of the Public Health Emergency (PHE). The amendment that the state has requested in the Appendix K is additive to those previously approved. CMS notes effective April 1, 2023, the state is rescinding the flexibility that suspended involuntary disenrollment from the waiver in accordance with the end of the continuous enrollment condition under section 6008(b)(3) of the Family First Coronavirus Response Act, as amended.

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 the 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