



**Date:** October 29, 2015

**General questions:** Christine Stone, [christine.i.stone@state.or.us](mailto:christine.i.stone@state.or.us); 503-602-8027

## **Public Notice and Request for Comment on Medicaid and Community-Based Services, Medically Involved Children's Waiver Renewal (0565)**

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The Department of Human Services (DHS) and the Oregon Health Authority (OHA) are seeking additional public comment on the submission of the following Medicaid 1915(c) Home and Community-Based Services waiver: Medically Involved Children's Waiver Renewal (0565).

42 CFR §441.304 (f) (1-4) requires that the agency establish and use a public input process. The process must include meaningful opportunities for input for individuals served. The Department of Human Services and the Oregon Health Authority will work collaboratively with the Federal Center for Medicare and Medicaid Services (CMS) on the approval of this waiver submission.

The following is a summary of substantive changes being proposed for the Medically Involved Children's Waiver:

- Reduce the unduplicated number of participants based on participation data from the past six years. This change will not result in any waiver participants being terminated from the waiver.
- Reduce the number of reserved waiver capacity slots from 15 to five for all five waiver years (2016-2021). While this is a reduction, in reviewing previous years' data it has been determined that five slots each year will adequately meet the needs of children who meet the criteria for reserved capacity access.
- Add the following eligibility groups: 1902(a)(10)(A)(i)(III), (IV), (VI), and (VII); 1902(a)(10)(A)(ii)(IV) and (IX); and 1931(b) and (d) of the Act.
- Delete the language related to Survival Priority Levels 1-13 as determined by the MICW criteria instrument. Service Priority Levels (SPL) are components of the CAPS tool used by DHS, Aging and People with Disabilities to determine nursing facility level of care for individuals over 18 years of age. While the MICW Clinical Criteria tool is based upon the CAPS tool, the SPLs are not scored independently in this tool. Eligibility for entering the MICW is based on scoring 100 or higher on the MICW Clinical Criteria tool.
- Add additional language to the Waiver Case Management definition: "Information and assistance in support of participant direction as it pertains to budget authority". This

language and activity is already reflected in Appendix E-1 (9 of 13) of this waiver but was not replicated in the Waiver Case Management service definition.

- Update cost estimates for the upcoming waiver cycle 2016-2021. Estimates were derived using the most recent CMS-372 report data.
- Quality Improvement Strategy in Appendix A, B, C, D, G, H, and I have been updated to reflect that OHA is completing the file reviews, not the Department, and to accurately reflect current processes.

You can review the proposed waiver: <http://www.oregon.gov/dhs/seniors-disabilities/HCBS/Documents/Medically%20Involved%20Children%27s%20Waiver.pdf>.

Comments can be sent to [odds.info@state.or.us](mailto:odds.info@state.or.us) and should be received no later than November 29, 2015.

Individuals may view non-electronic copies of the Medically Involved Children's Waiver renewal application at their local Community Developmental Disability Program office, Support Services Brokerage, the Barbara Roberts Human Services Building and by contacting their assigned Children's Intensive In-home Services Service Coordinator.

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