



Medicaid and CHIP Operations Group

June 8, 2021

Cynthia Beane, MSW, LCSW
Commissioner
Bureau for Medical Services
350 Capitol Street, Room 251
Charleston, WV 25301-3706

RE: West Virginia's Home and Community-Based Services Children with Serious Emotional Disorder Waiver, WV.1646.R00.07

Dear Commissioner Beane:

The Centers for Medicare & Medicaid Services (CMS) is approving the state's request to amend West Virginia's Medicaid Home and Community Based Services (HCBS) Children with Serious Emotional Disorder Waiver. The CMS Control Number for the amendment is WV.1646.R00.07. Please use this number in future correspondence relevant to this waiver action.

With this amendment, the state makes permanent waiver changes to more closely align with the National Wraparound Initiative model requiring providers to submit the Initial and Master Care Plans within 7 and 30 days respectively from the day they receive the referral, instead of from the date of slot release. This waiver action improves beneficiary coverage by insuring linkages to facilitate services are at the most clinically appropriate level of care. The amendment was approved on June 8, 2021 with an effective date of July 1, 2021.

The waiver continues to be cost-neutral. The average per capita cost of waiver services estimates (Appendix J.1) have been approved. This approval is subject to your agreement to serve no more individuals than the total number of unduplicated participants indicated in Appendix J.2 of the waiver. If the state wishes to serve more individuals or make any other alterations to this waiver, an amendment must be submitted for approval.

It is important to note that CMS' approval of this waiver amendment solely addresses the state's compliance with the applicable Medicaid authorities. CMS' approval does not address the state's independent and separate obligations under federal laws including, but not limited to, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, or the Supreme Court's Olmstead decision. Guidance from the Department of Justice concerning compliance with the Americans with Disabilities Act and the Olmstead decision is available at http://www.ada.gov/olmstead/q&a_olmstead.htm.

Thank you for your cooperation during the review process. If you have any questions concerning this information, please contact me at (410) 786-7561, or your staff may contact Chuck Steinmetz at charles.steinmetz@cms.hhs.gov or (215) 861-4169.

Sincerely,

George P. Failla, Jr., Acting Director
Division of HCBS Operations and Oversight

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