



**Medicaid and CHIP Operations Group**

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January 18, 2023

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

RE: Children with Serious Emotional Disorder (WV. 1646.R01.00)

Dear Commissioner Beane:

The Centers for Medicare & Medicaid Services (CMS) is approving the state's request to renew Children with Serious Emotional Disorder for Children with Serious Emotional Disorder Waiver (CSEDW). The CMS Control Number for the renewal is WV. 1646.R01.00 and should be referenced on all future correspondence relating to this waiver renewal.

For this HCBS waiver, you have requested a waiver of 1902(a)(10)(B) of the Social Security Act in order to waive comparability of services. The waiver has been approved for a five-year period with an effective date of February 1, 2023.

This waiver will offer the following supports for waiver participants: In-Home Family Support, Independent Living/Skills Building, Job Development, Respite Care-In-Home, Supported Employment, Individual, Wraparound Facilitation, Assistive Equipment, Community Transition Family Therapy, Mobile Response, Non-Medical Transportation, Peer Parent Support, Respite Care-Out-of-Home, Specialized Therapy. The following number of unduplicated recipients and estimates of average per capita cost of waiver services have been approved:

<u>Waiver Year</u>	<u>C Factor Estimates</u>	<u>D Factor Estimates</u>	<u>D' Factor Estimates</u>	<u>G Factor Estimates</u>	<u>G' Factor Estimates</u>
Year 1	2000	102576.00	21521.00	186855.00	21521.00
Year 2	2250	102579.00	22167.00	186855.00	22167.00
Year 3	2250	102579.00	22832.00	186855.00	22832.00
Year 4	2250	102587.00	23517.00	186855.00	23517.00
Year 5	2250	102587.00	24222.00	186855.00	24222.00

This approval is subject to your agreement to serve no more individuals than those indicated in “C Factor Estimates” shown in the table above. If the state wishes to serve more individuals or make any other alterations to this waiver, an amendment must be submitted for approval. The state may renew the waiver at the end of the five-year period by providing evidence and documentation of satisfactory performance and oversight.

It is important to note that CMS’ approval of this waiver 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](http://www.ada.gov/olmstead/q&a_olmstead.htm).

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 (ARP). Approval of this action does not constitute approval of the state’s spending plan.

We appreciate your cooperation during the waiver renewal process. If there are any questions concerning this information, please contact me at (206) 615-2356 or your staff may contact Chuck Steinmetz at [charles.steinmetz@cms.hhs.gov](mailto:charles.steinmetz@cms.hhs.gov) or (215) 861-4169.

Sincerely,

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

Enclosure

cc: Randall K. Hill, WV HSBS  
Cynthia Parsons, WV HSBS  
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Dominique Mathurin, CMCS  
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