



# NOTICE OF GENERAL PUBLIC INTEREST

RELEASE DATE: August 29, 2023

## PROPOSED AMENDMENTS TO MEDI-CAL HOME AND COMMUNITY BASED SERVICES (HCBS) 1915(c) WAIVER FOR THE DEVELOPMENTALLY DISABLED

The Department of Health Care Services (DHCS) requests input from beneficiaries, providers, and other interested stakeholders concerning a proposed amendment to the Medi-Cal 1915(c) Home and Community-Based Services Waiver for the Developmentally Disabled (HCBS-DD Waiver). A copy of which is attached.

Under the Lanterman Developmental Disabilities Services Act (Lanterman Act), Welfare & Institutions (W&I) Code section 4500 et seq., people with developmental disabilities, as defined in W&I Code section 4512(a), are eligible to receive services and supports that meet their individual needs and choices as defined in W&I Code section 4512(a). The Department of Developmental Services (DDS) administers the Lanterman Act.

DDS administers the HCBS-DD Waiver. DDS ensures, under the oversight of DHCS as the State Medicaid agency, that the HCBS-DD Waiver is implemented by regional centers in accordance with Medicaid law and the State's approved Waiver application. Regional centers coordinate, provide, and arrange or purchase the services and supports available under the HCBS-DD Waiver. Information about the HCBS-DD Waiver can be found at [www.dds.ca.gov/initiatives/hcbs/](http://www.dds.ca.gov/initiatives/hcbs/)

This amendment proposes to:

- modify the definition of target population to include children under five (5) years old;
- increase rates for independent living programs, adult residential homes, and participant directed Day Service and Supported Employment;
- add participant-directed goods and services as a new service;
- add budget authority for participant direction of services;
- add additional incentive payments for assisting individuals to obtain competitive integrated employment; and
- add supplemental payments for:



- completion of surveys for eligible providers of community living arrangement services and direct service providers as workforce capacity initiatives;
- certifications gained in trained employment services; and
- for direct service professionals who use a language or medium of communication other than English more than 50% of their time.

The aggregate fiscal impact of this amendment is estimated to be \$177,733,707 in waiver years two (2) through five (5). All proposed HCBS-DD Waiver amendments must be approved by the Centers for Medicare and Medicaid Services (CMS) to be effective.

## **Public Review and Comments**

DHCS plans to submit the proposed waiver amendment to CMS by October 1, 2023, for a proposed effective date of January 1, 2024.

A copy of the proposed waiver amendment will be posted on August 29, 2023, at <https://www.dhcs.ca.gov/services/Pages/Medi-CalWaivers.aspx> and at <https://www.dds.ca.gov/initiatives/hcbs/>.

Copies of the proposed amendment can be obtained by sending a written request to the mailing or email addresses listed below, or by visiting your local regional center. Please indicate 'HCBS Waiver' in the subject line or message.

Written comments may be sent to the following address:

Department of Developmental Services

Attn: Jonathan Hill

1215 O Street MS 7-40

Sacramento, CA 95814

Email [Federal.Programs@dds.ca.gov](mailto:Federal.Programs@dds.ca.gov)

To be assured consideration prior to DHCS' submission of the waiver amendment to CMS, comments must be received no later than October 1, 2023. Please note that comments will continue to be accepted after October 1, 2023, but DHCS may not be

able to consider those comments prior to the initial submission of the HCBS-DD waiver amendment to CMS.