



NOTICE OF GENERAL PUBLIC INTEREST

RELEASE DATE: August 1, 2023

PROPOSED WAIVER AMENDMENT FOR HOME AND COMMUNITY BASED WAIVER FOR SELF DETERMINATION PROGRAM FOR DEVELOPMENTALLY DISABLED

This notice provides information of public interest that the Department of Health Care Services (DHCS) intends to submit a Home and Community Based Services Waiver (HCBS) amendment for federal approval. This is an amendment to the California Medicaid 1915(c) Developmental Disabilities Waiver to change the payment source for financial management services.

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. The Department of Developmental Services (DDS) administers the Lanterman Act.

This amendment proposes to change:

- Financial Management Services – the state is removing the requirement that the cost of FMS be paid by participants from their individual budgets.
- The state is adjusting the methodology by which FMS are reimbursed for their services. The adjustment will allow the state to pay FMS providers a tiered rate based on the total number of employees/providers used by the participant; instead of paying FMS providers based on the number of services an individual receives.

DHCS estimates that the fiscal impact of this amendment is estimated to be \$15,050,625 in Waiver Year 3, \$27,647,812.50 in Waiver Year 4, and \$31,597,500 in Waiver Year 5.

All proposed HCBS Waiver amendments are subject to approval by the Centers for Medicare and Medicaid Services (CMS).

The proposed effective date of the amendment is December 1, 2023. All proposed amendments are subject to approval by CMS.



Upon submission to CMS, a copy of the proposed waiver amendment will be posted at the following web addresses:

<https://www.dds.ca.gov/initiatives/hcbs/>. You may also request a copy of the proposed amendment by writing to the mailing or email addresses listed below, or by visiting your local regional center.

Comments will be accepted for 30 days from the release date. Any written comments concerning this notice, or the proposed waiver amendment may be sent to:

Department of Developmental Services

Federal Programs Division

Attn: Jonathan Hill

1215 O Street, MS 7-40

Sacramento, California 95814

Comments may also be e-mailed to federal.programs@dds.ca.gov. Please indicate 'HCBS SPD Waiver CA.1166.R01.00' in the subject line or message. A copy of submitted public comments may be requested in writing at the mailing or email addresses above.