



Medicaid and CHIP Operations Group

June 3, 2022

Cathy Betts, Medicaid Director
Department of Human Services
1390 Miller Street
Honolulu, HI 96813

RE: Home and Community Based Services for People with Intellectual and Developmental Disabilities (HI-0013.R08.03) Amendment

Dear Ms. Betts:

The Centers for Medicare & Medicaid Services (CMS) is approving your request to amend the HCB Services Waiver for People with Intellectual & Developmental Disabilities. The CMS Control Number for the amendment is HI-0013.R08.03. Please use this number in future correspondence relevant to this waiver action.

With this amendment, the state is implementing a rate increase for specific waiver services based on the provider rate study conducted in 2020. The rate study proposed rate increases for the following services: Personal Assistance/Habilitation, Residential Habilitation, Additional Residential Supports, Adult Day Health, Community Learning Service, Discovery and Career Planning, Individual Employment Supports, Respite, Chore, Non-Medical Transportation, Private Duty Nursing, Training and Consultation, and Waiver Emergency Services. The rates for these services will be increased by amounts equal to one-half of the difference between current rates and the rates recommended by the 2020 rate study, producing increases between approximately 1% and 40%. The rate increase is included in the state's spending plan to use funds made available through section 9817 of the American Rescue Plan Act of 2021 (ARPA). The effective date of the amendment is July 1, 2022.

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.

The state has identified its intent to use 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. The state must have an approved spending plan in order to use the money realized from section 9817 of the ARP.

Thank you for your cooperation during the review process. If you have any questions concerning this information, please contact me at (410) 786-7561. You may also contact Lisa Amaro-Rife at Lisa.Amaro-Rife@cms.hhs.gov or (214) 767-2506.

Sincerely,

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

cc: Deanna Clark, CMCS
John Castro, CMCS
Cynthia Nanes, CMCS