

**STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
MED-QUEST DIVISION**

NOTICE FOR A PUBLIC NOTICE

In accordance with the public notice requirement of Title 42, Section 441.304 of the Code of Federal Regulations, the State of Hawaii, Department of Human Services and Department of Health (the State), hereby notifies the public that it intends to request from the Centers for Medicare & Medicaid Services (CMS), an amendment to the Home and Community Based Services (HCBS) Waiver for Individuals with Intellectual and Developmental Disabilities (I/DD Waiver) authorized in Section 1915(c) of the Social Security Act.

PURPOSE

The purpose of this posting is to provide public notice and elicit public input regarding the renewal and proposed amendments to its current 1915(c) HCBS I/DD Waiver that serves individuals with developmental disabilities or intellectual disabilities who meet institutional level of care and choose to live in their own home or in the community with appropriate and quality supports designed to promote health, safety and independence.

OVERVIEW OF PROPOSED AMENDMENTS

1. Discovery and Career Planning (DCP): Strengthened the service definition to align with federal/Office of Disability Employment Policy (ODEP) definitions for Customized Employment & the Discovery process. Updated maximum limit for DCP to align with national best practices for a more rapid engagement approach.
2. Individual Employment Supports: Strengthened the service definition to include best practices and align with federal/ODEP definitions for competitive integrated employment (CIE).
3. Personal Care Assistance (PCA): New service added to the waiver that covers a range of assistance to enable participants to accomplish tasks that they would normally do for themselves if they did not have a disability and allow them to age in place. PCA does not include habilitative training related to living in their home. Included PCA as a service subject to Electronic Visit Verification (EVV).
4. Residential Care Supports (RCS): New service added to the waiver that comprise of personal care and supportive services provided in a licensed or certified home by a primary caregiver who lives in the home. RCS is furnished to adults who receive these services in conjunction with residing in the home and is not considered a Residential Habilitation service.
5. Additional Residential Supports: Changed short-term time limit from 60 days to 90 days to allow for more flexibility in the use of the service.
6. Community Navigator: Strengthened service definition to be individualized, promote community membership, and outcome oriented.
7. Private Duty Nursing: Changed the maximum average hours per day from 8 hours to 10 hours and increased the day limit from 30 days to 60 days to allow for more flexibility in the use of the service.

8. Training and Consultation (T&C): Added T&C by a Behavior Analyst as a service available to a participant while in an acute-care hospital for transition purposes only. Also included in the new section of the waiver as an option to provide HCBS in acute-care hospitals.
9. Updated language to address new requirements in the waiver:
 - a. Methods of Remediation/Fixing Individual Problems;
 - b. Delivery of Case Management Services to describe the requirements for training on the HCBS settings regulation and person-centered planning requirements;
 - c. State assurances for telehealth;
 - d. Abuse Registry Screening to describe the process for ensuring continuity of care for a waiver participant whose service provider was added to the abuse registry;
 - e. Home and Community-Based Settings to describe the state's compliance with HCBS Settings rule;
 - f. Responsibility for Service Plan Development to describe case manager training and competency requirements for HCBS settings criteria and person-centered service plan development;
 - g. Service Plan Development Process to describe how the participant engages in and/or directs the planning process and how the state documents consent of the person-centered service plan;
 - h. HCBS Setting Requirements for the Service Plan to assure service plans comply with the HCBS Settings rule; and
 - i. Service Plan Implementation and Monitoring to describe adherence to the HCBS settings requirements with minor changes for clarity.
10. Updated the use of SIS-A 2nd Edition and the descriptions for the 7 levels.
11. Updated the provider monitoring process to be at least every three years or annually for providers requiring a corrective action plan. DOH/DDD is in the process of revising the provider monitoring framework and tool to provide more intensive monitoring, oversight, and technical assistance for providers who do not meet state and federal requirements.
12. Added new supplemental payments for the following:
 - a. Expanding adult foster home capacity on the neighbor islands;
 - b. Placements into competitive integrated employment; and
 - c. Payments for certified direct support professionals.
13. Updated projections for the number of users and costs for services for waiver years 1-5, fiscal years 2027-2031.

COMMENT SUBMISSION PROCESS

As required by 42 C.F.R. 441.304, the State must establish and use a public input process for any changes in services or operation of the waiver. The opportunity for public comment shall be held open for a minimum of 30 days prior to implementation of the proposed change or submission of the proposed change to CMS, whichever comes first.

Comments will be accepted for consideration from the date when this notice is published through **March 3, 2026**. Individuals may submit written comments using the following methods:

By email: doh.dddcrb@doh.hawaii.gov (Please identify in the subject line: Waiver Renewal)

By mail:

Department of Health, Developmental Disabilities Division
Attention: Community Resources Branch
3627 Kilauea Avenue, Room 411
Honolulu, Hawaii 96816

A copy of the 1915(c) I/DD Waiver is available online at: <https://medquest.hawaii.gov/en.html> under Featured News and <https://health.hawaii.gov/ddd/> for public viewing from the first working day the public notice appears in the Honolulu Star-Advertiser, Hawaii Tribune Herald, West Hawaii Today, Honolulu Star-Advertiser Maui, and The Garden Island. A printed copy of the waiver application and special accommodations (i.e., interpreter, large print or taped materials) can be arranged if requested by contacting the DDD Community Resources Branch at (808) 733-2135 no later than seven (7) working days before the comment period ends.

DEPARTMENT OF HUMAN SERVICES, MED-QUEST DIVISION
MEREDITH NICHOLS
ACTING MED-QUEST DIVISION ADMINISTRATOR