

**DEPARTMENT OF HEALTH CARE FINANCE &
DEPARTMENT ON DISABILITY SERVICES**

PUBLIC NOTICE OF WAIVER AMENDMENT

**Home and Community-Based Services Waiver for
People with Intellectual and Developmental Disabilities**

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2016 Repl. & 2019 Supp.)), and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.* (2018 Repl.)), and the Director of the Department on Disability Services (DDS), pursuant to authority set forth in Title I of the Department on Disability Services Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.* (2018 Repl.)), hereby give notice of their intent to submit an application for amendments to the District of Columbia Medicaid's Home and Community-Based Services for People with Intellectual and Developmental Disabilities (IDD) Waiver program to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) for review and approval.

The amendment application for the IDD Waiver contains three types of changes to be effective in IDD Waiver Year 3, or upon approval by CMS, as follows: (1) changes to the amount, duration and scope of several services; (2) systemic changes that relate to systems improvements, including the new DDS Developmental Disabilities Administration (DDA) Formal Complaint System; and (3) reimbursement rate changes to comply with the District Universal Paid Leave Act and the Living Wage Act.

Based on review of IDD waiver service utilization, the District is proposing changes to nine (9) IDD waiver services (*i.e.* Assistive Technology, Companion, Day Habilitation, Employment Readiness, Host Home without Transportation, Residential Habilitation, Respite, Supported Living, and Wellness Services) to align their scope with actual participant need and encouraging the use of natural supports in lieu of paid services. The District is also proposing systemic changes that would amend Waiver Appendices H, F, and G, respectively, to: (1) reflect DDS review of citation of deficiency reports from the Department of Health; (2) recognize the statutorily-mandated DDA Formal Complaint System; and (3) update the incident management and enforcement mechanism so that Service Coordinators have three (3) business days within which to follow-up on services or unmet needs after acceptance of serious reportable incidents (SRIs), and Investigators have three (3) business days within which to conduct and in-person visit for SRIs involving abuse, neglect or serious physical injury. The District is proposing to increase reimbursement rates for IDD waiver services to conform to the Universal Paid Leave Act and the Living Wage Act.

A summary of all of the proposed substantive changes in the amendment application, including detailed information about any substantive changes to rates, and copies of the proposed waiver amendment application may be obtained on the DDS website at <http://dds.dc.gov/idd-waiver-amendment>, and is available upon request from Kirk Dobson, Deputy Director, Quality Assurance and Performance Management Administration (QAPMA), D.C. Department on Disability Services, 250 E Street, SW, 6th Floor, Washington DC 20024, or by email to dds.qapma@dc.gov.

There are two opportunities for the public to provide comments or other input on the proposed HCBS IDD Waiver amendments:

First, written comments on the proposed IDD Waiver amendment shall be submitted to: Ieisha Gray, Director, Long Term Care Administration, Department of Health Care Finance, 441 4th Street, NW, Suite 900S, Washington, D.C. 20001, or via email at ieisha.gray@dc.gov during the thirty (30) calendar day public comment period, starting from the date this notice is published in the *D.C. Register*.

Second, DHCF and DDS will hold a virtual public forum during which written and oral comments on the proposed waiver amendment will be accepted. The virtual public forum will be held on June 25, 2020, from 10:00 am to 11:30am. Scheduling information for the public forum will be posted on the DDS website at <http://dds.dc.gov/idd-waiver-amendment>. Individuals can join the public forum by telephone by dialing **1-650-479-3208** and using the access code **472 477 560**, or by web conference by going to <https://dcnet.webex.com/dcnet/j.php?MTID=mbeb3574df7e4090016cd66fb330948ec>

Accommodations for the public forum are available upon request. Please provide your name, address, telephone number, organizational affiliation and accommodation request, if needed, by June 19, 2020, to Cynthia Scott at (202) 910-0148 or cynthia.scott@dc.gov.

Electronic copies of this notice also will be published on the DDS website at <http://dds.dc.gov>.

For further information, please contact Kirk Dobson, DDS Deputy Director for QAMPA, at dds.qapma@dc.gov, or visit the DDS website at <http://dds.dc.gov>.