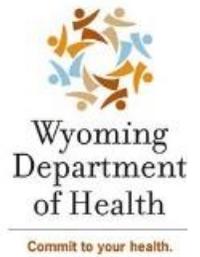


SUMMARY OF LONG TERM CARE (LTC) WAIVER COMPLIANCE WITH THE HOME AND COMMUNITY BASED SERVICES SETTING REQUIREMENTS ADOPTED BY CMS ON MARCH 17, 2014



Posted October 10, 2014

Public Comment open until November 17, 2014

Reason for Compliance Review of HCB Settings

On March 17, 2014, the Centers for Medicaid and Medicare Services (CMS) promulgated new federal regulations for Home and Community Based (HCB) Waiver Service Settings requirements. The federal regulations are 42 CFR 441.301(c)(4)-(5). CMS posted additional guidance to help states assess compliance and remediate areas that are not fully in compliance. More information on the new rules can be found on the CMS website at www.medicaid.gov/hcbs.

Summary of Compliance for LTC Waiver Settings

The settings for the LTC Waiver were reviewed within the Department of Health. All waiver participants live in their family home if they are receiving waiver services. No services may be offered in congregate facilities. Service settings are either based in the participant's residence or in community locations that are not institutional in nature and are providers chosen by the participant. Therefore, the LTC Waiver settings do not meet the criteria of needing a transition plan.

Plan for Monitoring Continued Compliance of HCB Settings

The Wyoming Department of Health State Medicaid Agency oversees the provider certification processes and ongoing oversight of provider compliance with all state standards. Through provider certification visits, incident and complaint management systems described in Appendix G of the approved waiver, the Department will assess providers for ongoing compliance with the HCB settings. Certification requirements will be adjusted to ensure service settings for this waiver remain in settings that are not institutional or isolating in nature. Any areas of concern will be addressed by the Department's corrective action and sanctioning processes pursuant to Chapter 16 of Wyoming Medicaid Rules.

Public Comment on HCB Compliance Summary

The compliance summary for the LTC Waiver will be posted for a 30-day public comment period on the Department's website at <http://health.wyo.gov/healthcarefin/equalitycare/index.html>. Public Notice of the Summary will be posted in two newspapers with a public forum schedule where comments may be presented to the Department. The Department will summarize and respond to all comments received and submit a summary to CMS.