August 11, 2022

Jan Stall, Interim State Medicaid Agent
Office of Health Financing Wyoming Department of Health
Yellowstone Road, Suite 210
Cheyenne, WY 82009

RE: WY.1060.R01.10 and WY.1061.R01.10 Amendment Approvals

Dear Ms. Stall,

The Centers for Medicare & Medicaid Services (CMS) is approving your request to amend Wyoming’s Supports Waiver, serving individuals with intellectual and developmental disabilities (ID/DD) ages birth through the life span, and the Comprehensive Waiver, serving individuals with an acquired brain injury age 21 and older. The CMS Control Numbers for these amendments are WY.1060.R01.10 (Supports Waiver) and WY.1061.R01.10 (Comprehensive Waiver). Please use these numbers in future correspondence relevant to these waiver actions.

With these amendments, the state is increasing rates for agency providers through state legislative appropriations. The state is adding Remote Supports delivery of services to Adult Day and Community Living Service, as well as, Remote Monitoring to the Community Living Service. The state is also developing separate independent and agency provider types for most services: adding EVV requirements for the following services for Child Habilitation, Companion, Personal Care, Respite, and Skilled Nursing; updating the rate methodology in Appendix I; and adding new service lines for Adult Day Services in Appendix J. The effective date of the amendments is September 1, 2022.

The waivers continue 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 the waivers, an amendment must be submitted for approval.

It is important to note that CMS’ approval of these waiver amendments 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 (206) 615-3814. You may also contact Elizabeth Heintzman at Elizabeth.heintzman@cms.hhs.gov or (206) 615-2596.

Sincerely,

Wendy Hill Petras
Wendy Hill Petras, Deputy Director
Division of HCBS Operations and Oversight

Enclosure

cc:
Kevin Patterson, CMS
Anthony Borges Nazari, CMS
Wendy Hill Petras, CMS
Dominique Mathurin, CMS
Shirley Pratt, WY
Matthew Crandall, WY
Lee Grossman, WY