

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

April 19, 2023

Lee Grossman, Medicaid Agent
Wyoming Division of Health Care Financing
61010 Yellowstone Road, Suite 210
Cheyenne, WY 82002

RE: 1915(c) Waiver Amendment WY.1060.R01.11

Dear Mr. Grossman:

The Centers for Medicare & Medicaid Services (CMS) is approving your request to amend 1915(c) Supports Waiver. CMS Control Number for the amendment is WY.1060.R01.11. Please use this number in future correspondence relevant to this waiver action.

With this amendment, the state is submitting a technical amendment to increase the maximum number of participants served on the Supports Waiver for waiver year 5. In March 2023, the Wyoming State Legislature and the Governor approved an appropriation to fund individuals who have been waiting for Supports Waiver services.

The effective date of the amendment is July 1, 2023. 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.

If you have any questions concerning this information, please contact me at (410) 786-7561. You may also contact Elizabeth Heintzman at elizabeth.heintzman@cms.hhs.gov or (206) 615-2596.

Sincerely,

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

cc: Anthony Borges Nazari, CMS