

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

January 9, 2024

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

RE: 1915(c) Community Choices Waiver WY.0236.R06.07 amendment

Dear Lee Grossman:

The Centers for Medicare & Medicaid Services (CMS) is approving your request to amend 1915(c) Community Choices Waiver for aged and disabled beneficiaries. The CMS Control Number for the amendment is WY.0236.R06.07. Please use this number in future correspondence relevant to this waiver action.

With this amendment, the state is allowing spouses to be paid to provide personal support services, which was a flexibility permitted during the Public Health Emergency (PHE) that the state is aiming to make permanent. The effective date of the amendment January 1, 2024. Accordingly, the Appendix K amendment that included provisions incorporated via this amendment expired December 31, 2023.

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