

TO: DDSD Staff
FROM: Roberta Duran, Deputy Director 
RE: CMS Final Rule
DATE: February 8, 2016

On January 16, 2014, the Centers for Medicare and Medicaid Services (CMS) published a Final Rule addressing several sections of the Social Security Act. The final rule amends the regulations for the 1915(c) Home and Community Based Services (HCBS) waiver programs. These rules are an important step forward in federal policy, supporting inclusion and integration of people with intellectual and developmental disabilities in the community.

The final rule is designed to expand and enhance rights of people by improving HCBS programs by providing protections to participants, allowing participants to have the same opportunity to receive services in the most integrated setting appropriate and to have full access to community living opportunities. There are new settings qualifications for all residential, day and employment settings.

The final rule applies to Developmental Disabilities Waiver, the Mi Via Waiver and the Medically Fragile Waiver, as well as Centennial Care and the State is required to be in compliance with the new rule by March 2019.

Over the past several months, DDSD has been working closely with the Human Services Department (HSD), Mercer (HSD's contractor) and CMS to revise and implement our Statewide Transition Plan to achieve compliance with the CMS Final Rule by 2019.

Additionally, DDSD has a workgroup that has been meeting weekly to plan and strategize on implementing the Statewide Transition Plan to ensure we are in compliance with the new rule. I would like to recognize and thank the following division leaders for their participation in the workgroup and learning about the new rule: Gayla Delgado, Iris Clevenger, Kristin Hansen, Scott Doan, Carrie Roberts, Christine Wester, Regina Lewis, Christina Hill and Jen Rodriguez.

It is going to take a collective effort to successfully implement and comply with the final rule. In order to do this, it's important for all division staff and our stakeholders to be informed about the final rule and how it will impact our waiver participants, providers and service settings.

Please take a few minutes and read the attached material on the final rule before the mandatory CMS Final Rule webinar for DDSD staff on February 15, 2016. This will be an opportunity to ask questions related to the information you review in preparation for the webinar.

The division will be conducting four additional webinars in early March for providers, case managers, consultants and other stakeholders. Information about the webinars will be sent in the next couple of weeks.

Thank you in advance for your commitment to moving our system forward and your assistance with the statewide roll out.