



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
Health and Social Services**

DIVISION OF HEALTH CARE SERVICES
Director's Office

4501 Business Park Blvd., Suite 24, Bldg. L
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October 4, 2016

Dear Tribal Health Leader,

On behalf of the Department of Health and Social Services (DHSS), in keeping with the DHSS' responsibility to conduct tribal consultation, I am writing to inform you of proposed amendments to Alaska's home and community based (HCBS) waivers under 1915(c).

The Division of Senior and Disabilities Services (SDS) proposes to amend the waivers as follows:

Amend waivers 0261 – Alaskans Living Independently (ALI) and 0262 – Adults with Physical and Developmental Disabilities (APDD) to remove references to the use of the Truncated Consumer Assessment Tool (TCAT) for reassessment of a recipient to determine level of care. The purpose of this amendment is to allow the use of the Consumer Assessment Tool (CAT) for reassessments instead of the TCAT initially approved for use beginning July 1, 2016. Using only one tool (the CAT) will allow SDS to better test reliability of assessment outcomes when considering migration to a new assessment tool in future years. CMS does not consider this change substantive, nor is the change anticipated to affect the provision of services to Alaska Native and American Indian Medicaid recipients or reimbursement to tribal health providers.

Amend waivers 0260 – Intellectual and Developmental Disabilities (IDD) and 0263 – Children with Chronic Medical Conditions (CCMC) to remove Intensive Active Treatment (IAT) as a service for individuals under the age of twenty-one (21) years of age, and explain the transition plan for recipients who receive IAT. This amendment is required by CMS because the IAT services for the defined population are non-waiver services covered under the EPSDT benefit category. CMS considers this change substantive because a service is being removed from the IDD and CCMC waivers, requiring the development and implementation of a transition plan. Individual Alaska Native and American Indian Medicaid recipients may be impacted during the transition from the waiver to the new service category and tribal health providers may elect to provide this service.

Amend waiver 0260 – Intellectual and Developmental Disabilities (IDD) to increase the FY17 unduplicated number of participants. The purpose of this amendment is to account for individuals drawn from the Disability Determination and Registration Review (DDRR) in FY16 that had not begun receiving waiver services by July 1, 2016. Because the number of individuals drawn from the DDRR is increasing, CMS does not consider this change substantive. This change is not anticipated to affect Alaska Native and American Indian Medicaid recipients as the change only reflects the timing of when individuals already drawn from the DDRR started service, nor is it expected to affect the reimbursement to the tribal health providers.

Amend waivers 0260 – Intellectual and Developmental Disabilities (IDD), 0261 – Alaskans Living Independently (ALI), 0262 – Adults with Physical and Developmental Disabilities (APDD), and 0263 – Children with Chronic Medical Conditions (CCMC) to add language that incorporates voluntary mediation before the fair hearing process. The purpose of this amendment is to provide an opportunity for both the appellant and the State representatives to discuss the matters informally and to reach an agreement in advance of a fair hearing, saving both parties time and resources. The appellant retains the right to a Fair Hearing if the disputes are not resolved during mediation. CMS does not consider this change substantive. This change is intended to

provide all recipients, including Alaska Native and American Indian Medicaid recipients, clear access to mediation. It is not expected to impact coverage of services or the reimbursement to the tribal health providers.

The approved waivers and the proposed amendments can be viewed at <http://dhss.alaska.gov/dsds/Pages/AK-HCBS-waivers.aspx>. Copies of the proposed amendments will also be available for viewing at SDS offices in Anchorage (550 W. 8th Ave.), Juneau (240 Main St., Suite 601), and Fairbanks (400 Gambell St., Suite 303).

Written comments or questions regarding the proposed amendments are due on November 4, 2016 by 5:00 PM. If you would like to arrange a meeting or discussion regarding the amendments, please provide a written request within 15-days of the date on this letter. Please direct all written correspondence to Courtney O'Byrne King, Alaska Department of Health and Social Services, 4501 Business Park Blvd, Building L, Anchorage, AK 99503 or courtney.king@alaska.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Courtney O'Byrne King".

Courtney O'Byrne King, MS
Medicaid State Plan Coordinator

cc:

Renee Gayhart, Tribal Health Program Manager
Duane Mayes, Director – Senior and Disabilities Services
Randall Burns, Director – Behavioral Health
Jetta Whittaker, Health Program Manager – Senior and Disabilities Services
Jon Sherwood, Deputy Commissioner – Department of Health and Social Services