

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

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July 13 2009

Ms. Barbara Richards, Associate Regional Administrator
Division of Medicaid and Children's Health Operations
Region 10
2201 Sixth Avenue, MS/RX 43
Seattle, Washington 98121

RE: Centers for Medicare and Medicaid Services (CMS) Review of Alaska's Home and Community Based Services (HCBS) and Personal Care Services – Preliminary Observations, Findings and Required Corrective Action

Dear Ms. Richards:

Thank you for giving the Alaska Department of Health and Social Services the opportunity to work in collaboration with the Centers for Medicare and Medicaid Services (CMS) to make sure we have a viable well managed long term care system in Alaska. Please know that we take our fiduciary and programmatic responsibilities seriously. To that end we want to reaffirm our commitment to ensuring the health and safety of all individuals served in that system – particularly through our waiver programs and personal care assistance services.

This correspondence is in response to the preliminary report we received from CMS dated June 26, 2009. The State of Alaska understands that the letter issued on June 26th and the included attachments were preliminary observations and findings and the comprehensive review of the HCBS waivers and Personal Care Assistance services will continue in the upcoming months. It is also our understanding that a final report will be issued at the completion of the comprehensive review.

While we appreciate the preliminary findings are a starting point for our conversations and work together, we thought it appropriate to state at this juncture that we believe that some of the facts, assumptions and findings set forth in your June 26th letter are not entirely complete or accurate. It is our understanding that we will be given the opportunity to provide additional information and clarification to CMS as your agency proceeds with the assessment of these programs and services and that these issues will be resolved through this on-going process. We look forward to those discussions and working with you on a corrective action plan.

Notwithstanding the above, the State of Alaska requests clarification on the following items:

1. Does the moratorium apply to new enrollments and admissions after June 26, 2009, so that those people who were "in process" prior to June 26th (e.g. waiting for an assessment, waiting for a fair hearing, etc.) could still access services or are those individuals also "precluded" from accessing services due to the moratorium?

Ms. Barbara Richards

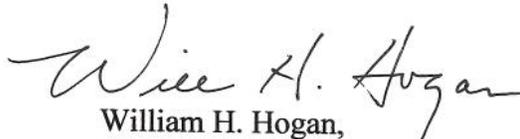
July 13, 2009

Page 2

2. It has been our practice to transfer qualifying Children with Complex Medical Conditions (CCMC) or Adults with Physical Disabilities (APD) waiver recipients to another waiver upon aging out of those programs in order to avoid a disruption in services. Does the moratorium apply to individuals who are currently on waivers who, because of their age, need to be transferred to a different waiver?
3. It is our understanding from a short telephone conversation with Carol Peverly on June 30, 2009, that the backlog referenced on AA Page 14, #4 has to do with reassessments, not initial assessments. Please confirm.
4. "Immediate Action" item #2 appears to conflict with #6 under Phase 2 – Summer 2009. Is the intent to have the face-to-face training after the web training?
5. Does the State need to amend the State Plan to simply reference the use of PCAT for Personal Care Services, or is more detail about how the PCAT is used required within the State Plan.

Thank you again for this opportunity to work in partnership with CMS. We look forward to receiving technical assistance from the National Quality Enterprise (NQE) as well as any other resource you believe would be helpful in developing and implementing strategies to address the identified concerns and improve our system in Alaska.

Sincerely,


William H. Hogan,
Commissioner

cc: Patrick Hefley, Deputy Commissioner, Family, Community, & Integrated Services
William Streur, Deputy Commissioner, Medicaid and Health Care Policy
Rebecca Hilgendorf, Director, Senior and Disabilities Services