CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID SERVICES

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TO: SCL (33) Provider Letter #A-29

RE: Michelle P Waiver

Dear Providers:

The Department for Medicaid Services received many comments on 907 KAR 1:835, the Michelle P. waiver ordinary regulation which was filed with the Legislative Research Commission in July. The most significant revision made in the "Amended After Comment" version of the ordinary regulation as a result of these comments is to change the description of case management for Michelle P. services so that a case management agency may not provide another Michelle P. waiver service to an individual to whom it is providing case management.

The emergency regulation which was filed in July will continue in effect until the ordinary regulation is adopted. Before adoption, the regulation will be considered by the Administrative Regulations Review Subcommittee and potentially another committee of the Legislative Research Commission. The final ordinary regulation is likely to be adopted in January or early February.

Once the ordinary regulation is adopted, an agency providing case management to an individual may provide no other services to that individual. However the agency may provide other services to other members of the Michelle P. Waiver. A member who is already receiving case management and services from the same provider when the ordinary regulation goes into effect may continue to do so until the member is due for recertification—at that time, the member's case management and service providers should be brought into compliance with the regulation.

We are appreciative of your continued efforts to collaborate with us in providing services to those individuals with intellectual and developmental disabilities.

Sincerely,

Elizabeth A. Johnson
Commissioner

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