



**CABINET FOR HEALTH AND FAMILY SERVICES  
DEPARTMENT FOR MEDICAID SERVICES**

**Andy Beshear**  
Governor

Division of Community Alternatives  
275 East Main Street, 6W-B  
Frankfort, KY 40621  
[www.chfs.ky.gov](http://www.chfs.ky.gov)

**Eric C. Friedlander**  
Secretary

**Pam Smith**  
Director

**Lisa D. Lee**  
Commissioner

**Public Notice  
Public Comment Period for Renewal of Kentucky Medicaid's  
Home and Community Based and Model II Waivers  
October 2, 2020**

The Department for Medicaid Services (DMS) is holding a public comment period for two of Kentucky's six (6) 1915(c) Home and Community Based Services (HCBS) waivers, which are listed below:

- Home and Community Based (HCB)
- Model II Waiver (MIIW)

1915(c) HCBS waivers expire every five years. The current versions of HCB and MIIW approved by the Centers for Medicare and Medicaid Services (CMS) expire this year. To continue providing HCB and MIIW services, DMS must renew these waivers with CMS.

This public comment period is not related to the ongoing 1915(c) HCBS waiver redesign project. DMS previously released all six waivers, including HCB and MIIW, twice in 2019 for public comment as part of waiver redesign. The project is currently on hold and waiver updates proposed through waiver redesign have not yet been approved by CMS nor taken effect. More information on the pause of waiver redesign is available at <https://bit.ly/kyredesignpause>.

The formal public comment period for the renewal of HCB and MIIW begins **Monday, October 5, 2020**. DMS will **receive comments for a full, thirty (30) day period with the public comment period ending at 11:59 p.m. Eastern on Friday, November 6, 2020**. This formal public comment period is being held in accordance with 42 CFR 441.304(f), in which CMS requires states to engage their stakeholders before submitting substantive waiver changes for approval.

**Proposed Waiver Updates**

DMS evaluated the HCB and MIIW applications to identify areas where clarity on policy is needed. DMS also updated certain appendices to match current waiver processes. Due to the size of the waiver application, DMS has listed significant updates in a one-page summary document to help stakeholders more easily identify areas of review. The one-page summary and the full HCB and MIIW applications will be available on the DMS Division of Community

Alternatives website at <https://bit.ly/kyhcbswaiverinfo> no later than close of business on **Monday, October 5, 2020.**

DMS is holding a webinar to review the proposed updates to the HCB and MIIW applications on **Monday, October 12, 2020, from 2 – 3:30 p.m. Eastern (1 – 2:30 p.m. Central)** via Zoom. If you wish to attend, please register using the link below.

[Register for HCB and Model II Public Comment Webinar](#)

If you are unable to attend the webinar, a recording will be posted to the DMS DCA website.

### **How to Make a Public Comment**

To submit an official public comment during the formal public comment period, please use one of the following methods of submission:

1. **Email:** Please submit comments by email to [MedicaidPublicComment@ky.gov](mailto:MedicaidPublicComment@ky.gov)
2. **Phone:** Please contact the 1915(c) Waiver Help Desk at (844) 784-5614. A DMS staff member will record your comments for review.
3. **Mail:** Department for Medicaid Services  
275 E. Main St., 6W-B  
Frankfort, KY 40621

For the formal public comment period, please provide the following information with your submission.

1. Contact Information
  - If you are **commenting as an individual**, please submit contact information.
  - If you are **commenting on behalf of a provider**, please include the provider name and your contact information.
  - If you are **commenting on behalf of an organization or association**, include the organization's name and your contact information.
2. Waiver
  - Please indicate which waiver(s) you are commenting on.
3. Comment
  - You may submit comments on the waiver as a whole or on specific parts of the waiver. When providing specific comments, please be clear on which areas you are commenting on. **Please, do not include personal health information in your comments. Your comments may be shared publicly.**

### **What Happens After I Make A Public Comment?**

DMS will review and publicly respond to comments received between October 5, 2020, and November 6, 2020, as part of the process of having the HCB and MIIW applications renewed by CMS.

DMS is dedicated to recognizing and considering stakeholder input at any time. It is important to note that DMS is continuously accepting comments about the waiver programs. Comments

submitted before October 5, 2020, and after November 6, 2020, are addressed through DMS staff interaction.

You can request this document or the amended waiver applications in paper form by contacting the 1915(c) Waiver Help Desk at [1915cWaiverHelpDesk@ky.gov](mailto:1915cWaiverHelpDesk@ky.gov) or by calling (844) 784-5614.