



**What Does This Mean to Me?  
Acquired Brain Injury (ABI) Waiver Amendment  
August 2024**

The Kentucky Department for Medicaid Services (DMS) completed a rate methodology study for most of its waiver services.<sup>1</sup> As a result of this study, DMS is making amendments to all six 1915(c) waivers. In the ABI waiver, the changes in Appendix C relate to service units, the changes in Appendix I relate to updated rate methodologies, and the changes in Appendix J relate to updated cost estimates. To make changes to rates, DMS must hold a public comment period of at least 30 days before submitting the waiver amendment to CMS for approval.

To assist stakeholders in reviewing the waiver applications and making a public comment, we have included the key proposed updates included in the waiver application below. The full waiver application is available on the DMS Division of Long-Term Services and Supports website at <https://bit.ly/KYMedicaidLTSSInfo>. Instructions for submitting public comments are available in the [public comment notice](#).

DMS also recognizes that the current ABI waiver application includes a service that is not funded and / or available to participants per Kentucky Administrative Regulation. This service is *Community Guide*. DMS is required to keep this service in the waiver application temporarily to comply with federal Maintenance of Effort requirements as defined in Section 9817 of the American Rescue Plan Act. Once Maintenance of Effort requirements have expired, DMS plans to remove this service to address CMS’s feedback that this service is considered duplicative of other available waiver services. **In summary, this proposed amendment will not include any changes to the services that are funded and / or currently available to waiver participants.**

ABI Waiver Updates	
<b>Appendix A Waiver Administration and Operation</b>	No Changes
<b>Appendix B Participant Access and Eligibility</b>	No Changes
<b>Appendix C Covered Service</b>	Modified service limits and units to promote consistency across waiver programs and align with rate methodology study findings, including: <ul style="list-style-type: none"> <li>Updating the <i>Financial Management Services</i> units and service limit from 15-minute units with an 8 unit service limit to a “per month” unit.</li> </ul>

<sup>1</sup> Please note DMS did not include Physical Therapy, Occupational Therapy, and Speech Therapy in the HCBS rate methodology study. The Cabinet is currently exploring options to further examine reimbursement rates for these services and will provide an update in the near future.

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ABI Waiver Updates	
<p><b>Appendix D</b>  <b>Participant Centered Service Planning and Delivery</b></p>	No Changes
<p><b>Appendix E</b>  <b>Participant Direction of Services</b></p>	No Changes
<p><b>Appendix F</b>  <b>Participant Rights</b></p>	No Changes
<p><b>Appendix G</b>  <b>Participant Safeguards</b></p>	No Changes
<p><b>Appendix H</b>  <b>Quality Systems Improvement</b></p>	No Changes
<p><b>Appendix I</b>  <b>Financial Accountability</b></p>	<ul style="list-style-type: none"> <li>Updated Appendix I-2-a to reflect the rate methodology used to develop new rates and the additional policy decisions regarding those rates.</li> </ul>
<p><b>Appendix J</b>  <b>Cost-Neutrality Demonstration</b></p>	<ul style="list-style-type: none"> <li>Updated Appendix J-2-c to reflect additional language regarding how the Cabinet developed revised cost estimates for each service based on the rate methodology study.</li> <li>Updated Appendix J-2-d to reflect the revised cost estimates aligned with rate methodology updates defined in Appendix I. Please note, the “average cost per unit” reflected in Appendix J-2-d may not fully align with the rates included in Addendum A below. This is due to some services reflecting an average of two or more payment rates that may be available for each service (e.g., Companion).</li> </ul>

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**Addendum A. Rates for Implementation**

**Home-Based Services**

Service	Waiver	Unit	Rate Planned for Implementation
Companion	ABI-Acute	15-minute	\$6.73
Companion with 50% supplemental add-on*	ABI-Acute	15-minute	\$8.34
Personal Care	ABI-Acute	15-minute	\$6.73
Personal Care with 50% supplemental add-on*	ABI-Acute	15-minute	\$8.34
Respite	ABI-Acute	15-minute	\$5.92
Respite with 50% supplemental add-on*	ABI-Acute	15-minute	\$6.00

\*Enhanced rate will be accessible to those providers who elected to attest to an 85% passthrough of funds to Direct Service Providers.

**Day Services**

Service	Waiver	Unit	Rate Planned for Implementation
Adult Day Training	ABI-Acute	15-minute	\$4.88

**Behavioral Services**

Service	Waiver	Unit	Rate Planned for Implementation
Behavioral Programming Services	ABI-Acute	15-minute	\$40.67
Counseling, Individual	ABI-Acute	15-minute	\$28.85
Counseling, Group	ABI-Acute	15-minute	\$6.96

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**Residential Services**

Service	Waiver	Unit	Rate Planned for Implementation
Supervised Residential Care, Level I	ABI-Acute	Calendar day	\$300.00
Supervised Residential Care, Level II	ABI-Acute	Calendar day	\$225.00
Supervised Residential Care, Level III	ABI-Acute	Calendar day	\$112.50

**Case Management**

Service	Waiver	Unit	Rate Planned for Implementation
Case Management	ABI-Acute	Monthly	\$525.14

**Supported Employment**

Service	Waiver	Unit	Rate Planned for Implementation
Supported Employment	ABI-Acute	15-minute	\$10.54

**Miscellaneous Services**

Service	Waiver	Unit	Rate Planned for Implementation
Financial Management Services	ABI-Acute	Monthly	\$121.00