

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID AND MEDICAL ASSISTANCE
Statutory Authority: 31 Delaware Code, Section 512 (31 Del.C. §512)

GENERAL NOTICE

PUBLIC NOTICE

Proposed Renewal for the DDDS Lifespan Waiver

HOME AND COMMUNITY-BASED SERVICES WAIVER

In accordance with the public notice requirements of 42 CFR 441.304(e) and (f) and Title 29, Chapter 101 of the Delaware Code, Delaware Health and Social Services (DHSS)/Division of Medicaid and Medical Assistance (DMMA) gives notice related to the renewal of the DDDS HCBS Medicaid Waiver authorized under section 1915(c) of the Social Security Act.

Purpose

The purpose of this posting is to provide public notice and elicit public input regarding Delaware's proposed amendment to its current HCBS Waiver that serves individuals with intellectual and developmental disabilities (IDD) to create the Lifespan Waiver.

Overview and Summary of the Lifespan Waiver Renewal

Delaware proposes to renew the DDDS waiver that has been in continuous operation since 1987. The waiver must be renewed every five years. The DDDS waiver is targeted to individuals with intellectual disabilities (IDD) (including brain injury), autism spectrum disorder, and Prader-Willi Syndrome. It provides services and supports as an alternative to institutional placement and is designed to enable the individual to live safely in the community and to respect and support their desire to work or engage in other productive activities.

New service(s) to be added to current waiver are:

- Medical Residential habilitation

DDDS proposes adding this new service to the current waiver in order to allow individuals that have increased medical support needs to live in a community residential setting that may not otherwise be possible without this service.

Current change(s) to the current waiver are:

- Revised the language in Section 1 (Request Information 3 of 3) to indicate that all Individuals enrolled in the DDDS Lifespan Waiver can be concurrently enrolled in the 1115 Waiver in order to receive their acute care benefits under the Diamond State Health Plan. The previous language had indicated that only Individuals enrolled in the DDDS Lifespan Waiver who were living with their family could be concurrently enrolled in the 1115 Waiver.
- New provider types have been added to Respite, Personal Care, and Supported Living

Background

Delaware has operated a Home and Community Based Services (HCBS) Waiver for individuals with intellectual and developmental disabilities continuously since 1987. The authority under the Social Security Act that allows HCBS waivers to be created requires that each waiver be renewed every five years.

Public Comment Submission Process

As required by 42 CFR Part 441.304, DHSS/DMMA must establish and use a public input process for any changes in the services or operation of the waiver. Per Del. Code, Title 29, Ch. 101 §10118(a), the opportunity for public comment shall be held open for a minimum of 30 days after the proposal is published in the *Register of Regulations*. The public is invited to review and comment on the proposed Lifespan Waiver Amendment. Comments must be received by 4:30 p.m. on March 4, 2019. Comments may be submitted in the following ways:

This public notice, the Renewal, and a summary of the Renewal are posted online at:

<https://dhss.delaware.gov/dhss/dmma/homeandc.html>

The DMMA and DDDS website will indicate the locations at which the hardcopy can be viewed.

Individuals may submit written comments using one or all of the following methods:

By email: DMMA_PublicHearing@state.de.us

(Please identify in the subject line: *DDDS Lifespan Waiver Amendment*)

By fax: 302-255-4481 to the attention of Glyne Williams

By written comments sent to:

DDDS Lifespan Waiver Renewal

Division of Medicaid and Medical Assistance

Planning, Policy & Quality Unit

1901 North DuPont Highway

P.O. Box 906

New Castle, Delaware 19720-0906

The hardcopy waiver amendment will be available at the following locations from February 14, 2019 through March 4, 2019.

- DDDS Fox Run Office at: 2540 Wrangle Hill Road, Suite 200, Bear, DE 19701
- Thomas Collins Building at: 540 South Dupont Hwy, 1st Floor, Dover, DE 19901
- At the Woodbrook Office at: 1056 S. Governors Ave, Dover, DE 19904
- On the Stockley Center campus at: 26351 Patriots Way, Georgetown, DE 19947 - 101 Lloyd Lane and 101 Boyd Blvd.

1/14/2019

Date

Steve Groff

Director

Division of Medicaid and Medical Assistance

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