

NOTICE OF CONNECTICUT STATE AGENCIES

State of Connecticut Department of Public Health

Notice of Declaratory Ruling Proceeding

The Department of Public Health (“DPH”) hereby gives notice of its intention to issue a declaratory ruling on a request for declaratory ruling filed by the Town of Suffield (“petitioner”) pursuant to Conn. Gen. Stat. § 4-176, regarding the chlorine levels for the public water system in Suffield, Connecticut, maintained by Aquarion Water Company.

The Department of Public Health will issue a ruling as to the following:

- 1 Is Aquarion Water Company appropriately chlorinating public drinking water in Suffield, Connecticut pursuant to Regulations of Connecticut State Agencies § 19-13-B102?
- 2 What are the appropriate levels of chlorine in drinking water for public water systems pursuant to Regulations of Connecticut State Agencies § 19-13-B102?
- 3 How does the Department of Public health monitor residual chlorine levels in public water systems pursuant to Regulations of Connecticut State Agencies § 19-13-B102?
- 4 What public process needs to take place before the decision by a utility company to add chlorine to drinking water is instituted pursuant to Regulations of Connecticut State Agencies § 19-13-B102?

The Department of Public Health has prepared this notice in accordance with the Uniform Administrative Procedure Act (“UAPA”), Connecticut General Statute 4-166 *et seq.*, and specifically Conn. Gen. Stat. § 4-176.

All persons seeking status to participate must petition the DPH by February 8, 2022. All requests seeking status to participate in this matter shall be submitted in writing in accordance with § 4-176(d) of the Connecticut General Statutes and § 19a-9-26 through § 19a-9-28 of the Regulations of Connecticut State Agencies. All filings to be submitted to the DPH shall be sent by email to the DPH, Public Health Hearing Office at phho.dph@ct.gov. It is anticipated that the Hearing Officer will rule on petitions for status by February 15, 2022. A date for hearing will thereafter be scheduled by the Hearing Officer.

By law, a declaratory ruling constitutes a statement of agency law which is binding upon those who participate in the hearing and may also be utilized by the Department of Public Health, on a case by case basis, in future proceedings before it.

Stacy M. Schulman
Hearing Officer
January 7, 2022

**DEPARTMENT OF SOCIAL SERVICES
DEPARTMENT OF DEVELOPMENTAL SERVICES**

**Notice of Intent to Submit Emergency Preparedness and Response Amendment
(Appendix K) to the Comprehensive Supports Medicaid Waiver, Individual
and Family Support Medicaid Waiver, and Employment and Day
Supports Medicaid Waiver**

In accordance with the provisions of section 17b-8 of the Connecticut General Statutes, notice is hereby given that the Commissioner of the Department of Social Services (“DSS” or the “Department”) intends to submit an Emergency Preparedness and Response Amendment (“Appendix K amendment”) to the Centers for Medicare and Medicaid Services (“CMS”) related to the following 1915(c) home and community-based services waivers operated by the Department of Developmental Services (DDS):

- Comprehensive Supports Medicaid waiver
- Individual and Family Support Medicaid waiver
- Employment and Day Supports Medicaid waiver

Appendix K amendments are temporary and expire six months following the expiration of the federal public health emergency related to the continued consequences of the Coronavirus Disease (COVID-19) pandemic. The following is a summary of the proposed changes, as more fully described in the Appendix K amendments:

- As permitted by Section 2 of CMS State Medicaid Director (SMD) Letter #21-003, DDS is proposing to permit an additional three 30-day periods of provider retainer payments, retroactive to January 2021, for all habilitation programs (both residential and day supports) that include personal care to ensure continuous operations and sustainability of waiver services. Each episode of retainer payments may not exceed 30 consecutive days. DDS is choosing to utilize multiple 30-day retainer payment periods with a limit of three. These three 30-day periods are in addition to the initial three 30-day retainer payment periods contained in the Appendix K amendments to these waivers approved by CMS on November 5, 2020 (CMS Amendment Control Numbers CT.0426.R03.05, CT.0437.R03.04 and CT.0881.R01.05).
- Stabilization payments to certain qualified provider types covered under the waivers listed in this Appendix K. Rate methodology would be increased proportionally by stabilization funds during the approved rate setting process. The intent of the payments is to assist qualified providers impacted by the pandemic, as well as to assist with recruitment and retention of provider staff.
- Incentive-based outcome payments to any qualified residential provider covered under the waivers listed in this Appendix K that transitions a waiver participant from a congregate residential setting toward a more integrated community-based setting.
- Temporary rate increases for specific employment and residential waiver service authorizations covered under the waivers listed in this Appendix K that move a waiver participant toward a more independent residential setting or toward competitively-based employment.

- Temporary rate increases for qualified residential and day provider types covered under the waivers listed in this Appendix K to allow such providers to modernize technology-based infrastructure, including billing processes and systems.
- Temporary increase in the service amount cap for the Assistive Technology service covered under the waivers in this Appendix K from \$15,000 to \$30,000.

A copy of the complete text of the Appendix K amendments are available, at no cost, upon request from: Krista Ostaszewski, Health Management Administrator, DDS Central Office, 460 Capitol Avenue, Hartford, CT, 06106, or via email at Krista.Ostaszewski@ct.gov. It is also available on the DSS website, www.ct.gov/dss, under “News and Press,” as well as the following direct link: <http://portal.ct.gov/DSS/Health-And-Home-Care/Medicaid-Waiver-Applications/Medicaid-Waiver-Applications>. In addition, it is available on the DDS website, <https://portal.ct.gov/dds>, under “Latest News.”

All written comments regarding these applications must be submitted by February 17, 2022 to: Krista Ostaszewski, Health Management Administrator, DDS Central Office, 460 Capitol Avenue Hartford, Connecticut, 06106, or via email at Krista.Ostaszewski@ct.gov.
