

## NOTICE OF CONNECTICUT STATE AGENCIES

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### DEPARTMENT OF DEVELOPMENTAL SERVICES

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#### **Notice of Intent to Submit Amendments to the Comprehensive Supports Medicaid Waiver, Individual and Family Support Medicaid Waiver, and Employment and Day Supports Medicaid Waiver**

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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) intends to submit various amendments 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) and hereinafter collectively referred to as “the DDS Medicaid waivers:” Comprehensive Supports Medicaid waiver

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

The intent of these amendments is to comply with section 60 of Public Act 23-137. This legislation requires the Commissioner of Social Services, in consultation with the Commissioner of Developmental Services, to authorize, subject to the approval of CMS, compensation for parents of school age children and legal guardians providing personal care assistance services on the DDS Medicaid waivers. For the purposes of this legislation, family caregiver is defined as a caregiver related by blood, marriage or a legal guardian of a participant in a DDS Medicaid waiver program.

The DDS Medicaid waivers currently provide the flexibility to compensate family caregivers, except for when the family caregiver is: the employer of record; a parent of a school age child; or a legal guardian. The proposed waiver amendments will extend compensation to parents of school-age children and legal guardians under certain criteria.

The following services on the DDS Medicaid waivers have a personal care assistance component and will be amended to allow for compensation for parents of school-age children and legal guardians:

- Individualized Home Support (IHS)
- Respite
- Individualized Day Supports
- Personal Supports
- Senior Supports

Additional criteria proposed in these waiver amendments, which must be met as part of the process to approve compensation for parents of school-age children and legal guardians, include:

- Requiring an assessment to determine age-appropriate dependency demonstrating a need for “extraordinary care,” as required by CMS for compensation of parents of school-age children;

- Limitations on hours of support that can be provided on an annual basis, with the ability to request exceptions;
- Prohibiting employers of record from providing any other supports outside of their role as employer of record. This includes being compensated for personal care services as a parent of a school age child or legal guardian;
- Ensuring that the provision of services is in the best interest of the waiver participant, as required by CMS.

A copy of the complete text of the Medicaid waiver applications 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](mailto:Krista.Ostaszewski@ct.gov). They are also available on the DSS website, [www.ct.gov/dss](http://www.ct.gov/dss), under “News,” as well as the following direct link: <http://portal.ct.gov/DSS/Health-And-Home-Care/Medicaid-Waiver-Applications/Medicaid-Waiver-Applications>. In addition, they are available on the DDS website, <https://portal.ct.gov/dds>, under “Latest News.”

All written comments regarding these applications must be submitted by November 30, 2023 to: Krista Ostaszewski, Health Management Administrator, DDS Central Office, 460 Capitol Avenue Hartford, Connecticut, 06106, or via email at [Krista.Ostaszewski@ct.gov](mailto:Krista.Ostaszewski@ct.gov).

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