**DEPARTMENT OF HEALTH CARE FINANCE**

**PUBLIC NOTICE OF PROPOSED WAIVER AMENDMENT**

**Medicaid Home and Community-Based Services Waiver for the Elderly and Persons with Physical Disabilities**

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia (District) to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02), and Section 6(4) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6)), hereby gives notice of the intent to submit an amendment to the District Medicaid Program’s Home and Community-Based Services (HCBS) Waiver for the Elderly and Persons with Physical Disabilities (EPD Waiver) to the Centers for Medicare and Medicaid Services (CMS) for review and approval.

The proposed amendment modifies the criteria for involuntary termination of the participant-directed service option, or “Services My Way” program, to extend the period in which episodes of non-compliance may result in the participant’s involuntary termination from twelve (12) to thirty-six (36) months. The amendment also allows for supplemental payments to providers and supplemental allocations to participant directed budgets to strengthen the direct service workforce and increase the pay of direct support professionals likely to be paid at or near the minimum/living wage. The supplemental payments and budget allocations are part of the District’s plan to enhance, expand, and strengthen HCBS under Section 9817 of the American Rescue Plan Act.

The proposed EPD waiver amendment and a corresponding summary will be published on the DHCF website at http://dhcf.dc.gov/epd-waiver-amendment on August 26, 2022. The District’s thirty (30) day public comment period will be open from August 26, 2022 through September 25, 2022 at 6:00 PM.

Interested parties may submit written comments concerning the proposed amendment to Melisa Byrd, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4th Street, NW, Suite 900S, Washington, D.C. 20001, or via email at [dhcfpubliccomments@dc.gov](mailto:dhcfpubliccomments@dc.gov).

An electronic copy of the proposed waiver amendment may be obtained on the DHCF website at <http://dhcf.dc.gov/epd-waiver-amendment>. A printed copy of the proposed waiver amendment is available for viewing upon request at Department of Health Care Finance, 441 4th Street NW, 9th Floor South, Washington D.C. 20001.