

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Centers for Medicare & Medicaid Services  
701 5th Avenue, Suite 1600, MS/RX-200  
Seattle, Washington 98104



Medicaid and CHIP Operations Group

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NC 4141.R06.02

April 21, 2020

Dave Richard, Director  
Division of Medical Assistance  
North Carolina Department of Health and Human Services  
2501 Mail Service Center  
Raleigh, NC 27699-2501

Dear Mr. Richard:

This letter is to inform you that your request to amend North Carolina’s Community Alternatives for Children (CAP/C) Home and Community Based Services Waiver, as authorized under 1915(c) of the Social Security Act, is approved. This waiver serves people from birth to age 20 who are medically fragile and who would require hospital or nursing facility level of care. The waiver has been assigned control number NC 4141.R06.02, which should be used in all future correspondence regarding this waiver program.

The effective date of the amendment is May 1, 2020 through February 28, 2022, and includes the following estimates of utilization and cost of waiver services:

	<b>Unduplicated Recipients (Factor C)</b>	<b>Estimated Community Costs Per Person (Factors D + D')</b>	<b>Estimated Institutional Costs Per Person (Factors G + G')</b>	<b>Total Waiver Estimated Costs</b>
Year 4	4,000	\$93,310.80	\$140,394.83	\$83,324,006.56
Year 5	4,000	\$96,162.95	\$144,606.68	\$86,034,995.82

The changes in this waiver include: updates throughout the waiver to describe the roles and responsibilities of Independent Assessment Entity (IAE) as a new contracted vendor; updates to criteria for eligibility; updates to service definitions; updates to budget and employer authority; updated requirements for critical incident report management; updates to financial integrity information; updates to cost neutrality demonstration in Appendix J; and changes to the QIS measures throughout.

The waiver services offered are: Coordination of Care – Case Management and Care Advisement; In-Home Care Aide; Respite – Institutional and In-Home; Financial Management;

Individual-Directed Goods and Services; Assistive Technology; Community Transition; Home Accessibility and Adaptation; Non-Medical Transportation; Nutritional Services; Participant Goods and Services; Pediatric Nurse Aide; Pest Eradication; Specialized Medical Equipment; Training, Education, and Consultative Services; and Vehicle Modifications.

This approval is subject to your agreement to provide home and community-based services, on an annual basis, to no more than those indicated as the value of “Factor C” in your approved per capita expenditure estimates (shown above).

It is important to note that CMS’ approval of this waiver amendment solely addresses the state’s compliance with the applicable Medicaid authorities. CMS’ approval does not address the state’s independent and separate obligations under federal laws including, but not limited to, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, or the Supreme Court’s Olmstead decision. Guidance from the Department of Justice concerning compliance with the Americans with Disabilities Act and the Olmstead decision is available at [http://www.ada.gov/olmstead/q&a\\_olmstead.htm](http://www.ada.gov/olmstead/q&a_olmstead.htm).

We appreciate your cooperation during the review process. If there are any questions concerning this information, please contact me at (206) 615-2356 or your staff may contact Alice Hogan at [Alice.Hogan@cms.hhs.gov](mailto:Alice.Hogan@cms.hhs.gov) or (404) 562-7432.

Sincerely,

David L. Meacham, Director  
Division of HCBS Operations and Oversight

cc:

Betty J. Staton, North Carolina DHHS