

### Introduction

Utah has 4, 1915 (c) Medicaid Home and Community Based Services (HCBS) waivers set to expire on June 30, 2025. These waiver programs are the:

- Community Supports Waiver for Individuals with Intellectual Disabilities & Other Related Conditions (CSW)
- Community Transitions Waiver (CTW)
- Waiver for Individuals Age 65 or Older (Aging Waiver)
- New Choices Waiver (NCW)

In order to continue operations of these waivers, the Division of Integrated Healthcare (DIH), Office of Long Term Services and Supports (LTSS) acting as the State Medicaid Agency (SMA) is required to submit a renewal application no later than March 31, 2025 to the Centers for Medicare and Medicaid Services (CMS). The SMA is the single state agency that retains administrative authority of the HCBS Waivers.

In addition, the SMA will be submitting an amendment for the Medically Complex Children's Waiver. This amendment is for the purpose of expanding which types of medical professionals may submit information used in level of care determinations.

### Drafting Process

For the CSW and CTW renewals the Division of Services for People with Disabilities (DSPD) prepared an initial draft of the waiver in late 2024. A workgroup comprised of waiver participants, the families of participants, advocates, providers and State staff convened to review the initial draft and provide input. A final draft was then created as a result of the feedback provided.

For the renewal of the Aging Waiver, DIH and the Division of Aging and Adult Services (DAAS) consulted with the local Area Agencies on Aging to receive feedback on recommended changes. These were collected and a final draft of the waiver renewal completed.

For the New Choices Waiver, providers and advocates will be invited to share recommended changes for program. The SMA anticipates this work being completed in February 2025 and will share separate information as the 30-day public comment period is not likely to overlap with the other 3 waivers.

### Public Input

Initial public input was sought by utilizing the workgroup process described above as well as additional public input in the following ways:

- Presenting to the following groups: Medicaid Advisory Committee (MAC) in January 2025 and the Utah Indian Health Advisory Board (UIHAB) in February 2025
- Posting the draft online and providing a 30-day public comment period
- Reviewing and responding to comments after the 30-day public comment period and making decisions about further amending the waiver to incorporate additional comments received

The final drafts will be completed in February 2025. Final review, approval and submission of the waiver application will be completed by the State Medicaid Director.

### Overview of Proposed Changes – Applicable to All Submissions

- General Waiver Changes
  - Changes were made throughout the implementation plan to remove obsolete language and clarify intent
  - Terminology/grammar has been corrected to reflect changes in agencies/provider designations throughout the document
- Quality Improvement
  - Performance measures were clarified and updated to better reflect existing measures in Utah's other 1915(c) waiver programs

### Substantive Changes Specific to Each Waiver

- Community Supports Waiver
  - Updates to projected enrollment

- Alterations throughout the document to confirm compliance with the HCBS Settings Rule
- Updates to provider monitoring and participant safeguards
- Community Transitions Waiver
  - Updates to projected enrollment
  - Updates to provider monitoring and participant safeguards
- Aging Waiver
  - Removal of municipal business licenses for several provider types
  - Requirement to evaluate appropriate service delivery options for individuals seeking respite care in excess of 35 hours per week (in-home options, not facility-based respite)
  - Clarification on supplemental meals and the community meal option
  - Addition of UTA and ride-share services as a non-medical transportation option
- New Choices Waiver
  - Updates to add clarity to several service descriptions
  - Clarification on medication oversight and grievance processes
- Medically Complex Children's Waiver
  - Change MCCW level of care criteria to also include advanced practice providers, along with specialty physicians to establish eligibility

Questions and comments about the draft waiver application are welcome and can be submitted to:

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