



**Medicaid and CHIP Operations Group**

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October 1, 2020

Cynthia Beane, MSW, LCSW  
Commissioner  
Bureau for Medical Services  
350 Capitol Street, Room 251  
Charleston, WV 25301-3706

Re: West Virginia Home and Community-Based Services Aged and Disabled Waiver (CMS Control Number WV.0134.R07.03)

Dear Commissioner Beane:

The Centers for Medicare & Medicaid Services (CMS) has approved the state's request to amend West Virginia's Medicaid Home and Community-Based Services (HCBS) Aged and Disabled Waiver. The CMS Control Number for the amendment is WV.0134.R07.03. Please refer to this number in all future correspondence regarding this amendment.

This amendment increases the number of slots from 7,026 to 7,672. The additional 646 slots are part of West Virginia's recent initiative to divert nursing home residents and individuals considering nursing home placement to the ADW program. This amendment updates Appendix B Number Served, Unduplicated Number of Participants, and Appendix J Derivation of Estimates, Number of Unduplicated Participants Served, and Factor D estimates.

Estimated expenditures demonstrate that the waiver will remain cost neutral for each waiver year, as reflected in the estimates below. The effective date of this amendment is October 1, 2020.

Waiver Year	C Factor Estimates	D Factor Estimates	D' Factor Estimates	G Factor Estimates	G'' Factor Estimates
1	7,672	19,182.76	7,665.00	57,396.00	8,406.00
2	7,672	19,182.76	7,867.00	59,440.00	9,078.00
3	7,672	19,182.76	8,074.00	61,556.00	9,804.00
4	7,672	19,182.76	8,287.00	63,747.00	10,588.00
5	7,672	19,182.76	8,505.00	66,017.00	11,435.00

This approval is subject to your agreement to serve no more individuals than those indicated above. If the state chooses to make additional alterations to this waiver, an amendment must be submitted for approval.

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).

Thank you for your cooperation during the review process. If you have any questions concerning this information, please contact me at (206) 615-2356, or your staff may contact Chuck Steinmetz at [charles.steinmetz@cms.hhs.gov](mailto:charles.steinmetz@cms.hhs.gov) or (215) 861-4169.

Sincerely,

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

cc:

Daphne Hicks, CMCS

Dominique Mathurin, CMS

Randall K. Hill, Director WV HSBS