March 17, 2022

Kevin Bagley, Director
Division of Medicaid and Long-Term Care
Nebraska Department of Health and Human Services
301 Centennial Mall South
Lincoln, Nebraska 68509-5026

Dear Mr. Bagley:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving Nebraska’s request to amend the following 1915(c) Home and Community-Based Services (HCBS) waivers with the Emergency Preparedness and Response Appendix K in order to respond to the COVID-19 pandemic:

<table>
<thead>
<tr>
<th>WAIVER TITLE</th>
<th>CMS AMENDMENT CONTROL NUMBER</th>
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</thead>
<tbody>
<tr>
<td>Developmental Disabilities Day Services Waiver for Adults</td>
<td>NE.0394.R03.11</td>
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<tr>
<td>Comprehensive Developmental Disabilities Services Waiver</td>
<td>NE.4154.R06.15</td>
</tr>
<tr>
<td>HCBS Waiver for Aged and Adults and Children with Disabilities</td>
<td>NE.0187.R07.02</td>
</tr>
<tr>
<td>Traumatic Brain Injury Waiver</td>
<td>NE.40199.R04.09</td>
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The amendments that the state has requested in the Appendix Ks are additive to those previously approved and are effective through June 30, 2022; they apply in all locations served by the individual waiver for anyone impacted by COVID-19. With these amendments, the state is extending the end date of the Appendix Ks from June 30, 2021 to June 30, 2022. However, the state is not extending flexibilities that ended on June 30, 2021 with the exception of the flexibility to allow Habilitative Workshop, Community Inclusion and Adult Day Service in an alternative setting for its Developmental Disability Day and Comprehensive Developmental Disability waivers. This flexibility is extended through June 30, 2022. Additionally, the state is increasing rates for services from January 1, 2022 through June 30, 2022.

The state has identified its intent to use money realized from section 9817 of the American Rescue Plan (ARP). Approval of this action does not constitute approval of the state’s spending plan. The state must have an approved spending plan in order to use the money realized from section 9817 of the ARP.
We have included the approved Appendix K pages with this correspondence. Please utilize the waiver management system for HCBS waivers for any further amendments to these waiver programs other than the Appendix K.

If you need assistance, feel free to contact Bernice Denbow of my staff at 410-767-6777 or by e-mail at Bernice.Denbow@cms.hhs.gov or Margherita Sciulli at 410-786-0691 or by e-mail at Margherita.Sciulli@cms.hhs.gov.

Sincerely,
Alissa M. DeBoy
Director, DEHPG

Enclosure