

New CMS COVID-19 Resources for State Agencies on Medicaid HCBS

New resources include [instructions](#) and a [template](#) for state Medicaid agencies on filing an Appendix K application for their respective 1915(c) waivers. For context, 1915(c) waivers are the main authority through which states provide Medicaid HCBS, and states can use Appendix K of those waivers to modify their existing 1915(c) waivers in the event of emergencies, including the COVID-19 pandemic.

CMS also announced [three states](#) that have approved Appendix K applications. Two of these states, Pennsylvania and West Virginia, include Appendix K provisions for 1915(c) waiver specific to older adults. Key provisions from both states are summarized below. Each of these states may serve as an example for other states considering an Appendix K application. Washington was also approved for Appendix K provisions for waivers serving people with intellectual/developmental disabilities.

The [instruction document](#) includes process-oriented items (e.g., allowing electronic signatures, prepopulating certain sections of the application) as well as more substantive examples of flexibilities available through Appendix K. Specifically, CMS cites the following as options states could exercise:

- Expand availability of in-home services, expand who can provide those services and allow family members to deliver in-home services and be paid for those.
- Provide retainer payments to providers when they are forced to close, such as day settings.
- Allow electronic service delivery options for day programs to provide remote monitoring for the people they serve.
- Increase rates across services to bring in more providers and account for potential risk and/or more intensive services.