

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

March 29, 2022

Brett Friedman, Medicaid Director
New York State Department of Health
Office for Health Insurance Programs
Empire State Plaza
Corning Tower, Room 1466
Albany, NY 12237

Dear Mr. Friedman:

The Centers for Medicare & Medicaid Services (CMS) has approved your request for a 90-day temporary extension of the New York State Department of Health 1915(c) Children's Waiver. This Home and Community-Based Services (HCBS) waiver provides services to children and adolescents who meet nursing facility, hospital and Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IDD) levels of care. This waiver is currently scheduled to expire on March 31, 2022. This temporary extension allows the Children's Waiver (NY.4125.R05.00) to continue operating through June 29, 2022 at cost and utilization levels approved for the fifth year of the waiver program with federal financial participation.

As authorized by 42 CFR §441.304(c), CMS is granting this temporary extension to provide the state with additional time to appropriately address all of CMS' feedback regarding the significant programmatic, fiscal and quality changes identified in the waiver renewal application. CMS will continue to collaborate with the state to ensure that no violations of Section 9817 of the American Rescue Plan Act (ARPA) exist and that the state submits an approvable renewal application.

If you have any questions concerning this information, please contact me at (410) 786-7561. You may also contact Christopher Semidey at Christopher.Semidey@cms.hhs.gov or (212) 616-2328.

Sincerely,

George P. Failla, Jr., Director
Division of HCBS Operations & Oversight

cc: Christopher Semidey, CMS
Ciera Lucas, CMS
Cynthia Nanes, CMS
Wendy Hill Petras, CMS
Susan Cummins, CMS
Ralph F. Lollar, CMS
Kathryn Poisal, CMS
Colette Poulin, NY-DOH
Trisha Schell Guy, NY-DOH
April Hamilton, NY-DOH