



Disabled and Elderly Health Programs Group

October 26, 2020

Ms. Donna Frescatore
State Medicaid Director, Deputy Commissioner
State of New York, Department of Health
Empire State Plaza, Corning Tower, Room 1466
Albany, NY 12237

Dear Ms. Frescatore:

We are pleased to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving New York's request for an initial 1915(b)(4) Fee-for-Service (FFS) Selective Contracting Program Waiver, under CMS control number NY-14.00.00, entitled Tenancy Supports. This waiver allows the state to selectively contract with Home Rehabilitative Services (HRS) providers who will provide Medicaid State Plan rehabilitative services to assist eligible individuals transitioning from shelters, the streets, or institutional settings (including emergency housing) to access and connect to community support for supportive housing needs. This 1915(b) waiver is authorized under section 1915(b)(4) of the Social Security Act and provides a waiver of the following section of Title XIX:

- Section 1902(a)(23) Freedom of Choice

On October 16, 2020, CMS also approved the state's request to amend Attachments 3.1-A, 3.1-B and 4.19-D of your Medicaid State Plan submitted under transmittal number (TN) 20-0005. The purpose of this amendment was to change the state's rehabilitation benefit by implementing targeted services for dual eligible individuals with mental illness, substance use disorder or behavioral challenges and at risk of homelessness who currently receive or will receive a rental subsidy through a supportive housing program. This State Plan authority is a concurrent authority to this 1915(b) waiver.

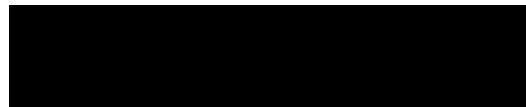
Our decision on the 1915(b) waiver is based on the evidence submitted to CMS demonstrating that the state's proposal is consistent with the purposes of the Medicaid program, will meet all statutory and regulatory requirements for assuring beneficiaries' access to and quality of services, and will be a cost-effective means of providing services to those beneficiaries in New York's Medicaid population.

This 1915(b) waiver is effective for a five-year period beginning November 1, 2020, through October 31, 2025. The state may request renewal of this authority by providing evidence and documentation of satisfactory performance and oversight. New York's request that this authority be renewed should be submitted to CMS no later than August 3, 2025. New York will be responsible for documenting the applicable cost-effectiveness and quality in subsequent renewal requests for this authority.

The state must arrange for an independent evaluation or assessment of their 1915(b) waiver program and submit the findings when renewing the section 1915(b) waiver program. At a minimum, the Independent Assessment (IA) is a requirement for the first two waiver periods. For the IA of the waiver, the Independent Assessor should analyze four years of data from the waiver years 1 through 4. The IA should be submitted with the waiver renewal request ninety (90) days before the expiration of the approved waiver program, no later than August 3, 2025.

We would like to express our gratitude for the effort and cooperation provided by your staff during our review of this request. If you have any questions regarding the 1915(b)(4) waiver, please contact Angela F. Jones, Division of Managed Care Policy, at (410) 786-3789 or Angela.Jones2@cms.hhs.gov or Suzanne Gallagher, Division of Managed Care Operations-East Branch, at (212) 616-2482 or Suzanne.Gallagher@cms.hhs.gov.

Sincerely,



Melissa Harris
Acting Director
Disabled and Elderly Health Programs Group

cc: Bill Brooks, CMCS
Sabrina Tillman-Boyd, CMCS