

**Virginia Departments of Medical Assistance Services (DMAS) and Behavioral Health and  
Developmental Services (DBHDS)  
Notice of Public Comment Period**

The Department of Medical Assistance Services (DMAS) and the Department of Behavioral Health and Developmental Services (DBHDS) welcome public comment regarding the submission to the U.S. Centers for Medicare and Medicaid Services (CMS) amended applications for the following 1915(c) Home and Community Based Services (HCBS) Medicaid Waivers: Building Independence (BI) Waiver; Community Living (CL) Waiver; Family and Individual Support (FIS) Waiver; and Commonwealth Coordinated Care Plus (CCC+) Waiver.

This notice serves to inform interested parties that a 30-day public comment period will open on August 6, 2024 and closes on September 5, 2024. The 1915(c) HCBS Waiver amendment applications can be located at: <https://dmas.virginia.gov/for-providers/long-term-care/waivers/>

The state is requesting amendments to revise the following:

1. Combining the annual service limits for Assistive Technology and Electronic Home-Based Services into one annual \$10,000 limit to be shared between the two services. (BI, CL, FIS)
2. Permit the allowance for individuals offered a Developmental Disabilities Waiver slot to delay enrollment into the waiver for up to 1 year. (BI, CL, FIS)
3. Disregard Social Security Disability Insurance (SSDI) benefits above the maximum Social Security Insurance (SSI) benefit limit as determined by the Social Security Administration for purposes of pre-eligibility treatment of income. (BI, CL, FIS)
4. Amend the rules for when a Legally Responsible Individual (spouse or parent of a minor) is a paid aide/attendant for personal care/personal assistance. (CL, FIS, CCC+)
5. Add nursing facilities and Program for the All-Inclusive Care for the Elderly (PACE) providers to screen individuals in the community for waiver enrollment (CCC+)
6. Remove educational requirements for Services Facilitation providers (CL, FIS, CCC+)
7. Update language to match with the newest version of the Supports Intensity Scale assessment instrument for service plans (BI, CL, FIS)
8. Update language that the Virginia Individual Developmental Disability Eligibility Survey (VIDES) is used for level of care for both waiver and the alternative institution placement (BI, FIS)
9. Align quality measures across the Developmental Disabilities Waivers (BI, FIS, CL)
10. Update language for who is responsible for conducting the annual level of care review (CCC+)

Instructions for Public Comment Submissions:

Electronic Submission: Comments should be submitted via the Virginia Town Hall public comment forum here: <https://townhall.virginia.gov/L/ViewNotice.cfm?GNid=2911>

Or submit via US Postal Mail to:

Department of Medical Assistance Services  
ATTN: Andrew Greer/Senior Policy Analyst – Office of Community Living  
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