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Feb. 25, 2022

# PUBLIC NOTICE

## **Public Notice of 1915(c) Home and Community-Based Waiver Amendments and Community Supports Waiver Renewal**

The South Carolina Department of Health and Human Services (SCDHHS) intends to file waiver amendments with the Centers for Medicare and Medicaid Services (CMS) for multiple 1915(c) home and community-based services (HCBS) waivers administered through its Office of Waiver and Facility Services. These amendments will establish authority for the use of enhanced funding from Section 9817 of the American Rescue Plan Act (ARPA). Additionally, these amendments will address cost limits and services to account for impacts associated with the coronavirus disease 2019 (COVID-19) public health emergency and will make permanent the rate increases implemented under the recently approved Appendix K.

Section 9817 of the ARPA provides states with a temporary 10% increase to the federal medical assistance percentage (FMAP) for Medicaid HCBS. The funding is intended to enhance, strengthen and improve HCBS beyond what was available as of April 1, 2021. Per guidance from CMS, HCBS provider rate increases funded through the temporary 10% increased FMAP will require updated rate methodology. For 1915(c) waivers, states are required to submit a waiver amendment for any rate methodology change except as permitted through Appendix K flexibilities.

Waivers impacted by this amendment are: Community Choices (CC) (SC.0405); Head and Spinal Cord Injury (HASCI) (SC.0284); HIV/AIDS (SC.0186); Intellectual Disability/Related Disabilities (ID/RD) (SC.0237); Mechanical Ventilator Dependent (Vent) (SC.40181); and Medically Complex Children (MCC) (SC.0675).

The Community Supports (CS) (SC.0676) waiver is being renewed with a proposed effective date of July 1, 2022.

Following is a summary of changes included in the proposed waiver amendments:

1. 1915(c) waivers are being amended to increase payment rates for the following waiver services:

Service	Affected Waiver(s)	Existing Rate	New Rate	Effective Date
Respite	CS, HASCI, ID/RD	\$3.17/15 min	\$4.05/15 min	July 1, 2021
Adult Day Health Care	CS, ID/RD, CC	\$56.40/day	\$60/day	Oct. 1, 2021

Residential Habilitation (Daily)	ID/RD	\$196.99/day	\$204.78/day	July 1, 2021
Residential Habilitation (Daily)	HASCI	\$196.99/day	\$239.39/day	July 1, 2021
	ID/RD, HASCI	\$196.99/day	\$226.71/day	Jan. 1, 2022
Home Delivered Meals	ID/RD, CS, CC, HIV/AIDS, Vent	\$5.23/meal	\$6.40/meal	March 1, 2022
Care Coordination	MCC	Care coordination contact: \$28/15 min. Care coordination visit: \$45/15 min. Care advocate contact: \$15/15 min.	Care coordination contact: \$33/15 min. Care coordination visit: \$54/15 min. Care advocate contact: \$18/15 min.	Jan. 1, 2022
Day Services (Day Activity, Career Preparation, Community Services, Employment Services Group)	CS, HASCI (excluding Community Services for HASCI)	\$31.29/half-day	\$36.93/half-day	Jan. 1, 2022
In-Home Support	CS	\$13.31/hour	\$16.20/hour	Jan. 1, 2022
Employment Services (Individual)	CS, HASCI	\$21.95/15 min.	\$24.74/15 min.	Jan. 1, 2022
Attendant Care (U1/UAP)	HASCI	\$4.01/15 min.	\$4.05/15 min.	Jan. 1, 2022
Waiver Case Management, Transitional Waiver Case Management – with Travel	CS HASCI	\$25.42/15 min.	\$27.28/15 min.	Jan. 1, 2022
Waiver Case Management, Transitional	CS HASCI	\$15.63/15 min.	\$16.77/15 min.	Jan. 1, 2022

Waiver Case Management – without Travel				
Personal Care I	CC HIV/AIDS Vent ID/RD CS	\$14/hour	\$14.80/hour	July 1, 2022
Personal Care II	CC HIV/AIDS Vent ID/RD CS	\$18.40/hour	\$19.40/hour	July 1, 2022
Companion-Agency	CC HIV/AIDS	\$9.50/hour	\$14.50/hour	July 1, 2022
Companion-Self Directed	CC HIV/AIDS	\$7.71/hour	\$12.80/hour	July 1, 2022
Attendant Care	CC HIV/AIDS Vent	\$11.88/hour	\$16.20/hour	July 1, 2022
Medicaid Nursing-RN	HIV/AIDS Vent ID/RD HASCI	\$37.40/hour	\$39.40/hour	July 1, 2022
Medicaid Nursing-LPN	HIV/AIDS Vent ID/RD HASCI	\$28.30/hour	\$29.80/hour	July 1, 2022

2. 1915(c) waivers are being amended to change the rate methodology in Appendix I, Section I-2-a (rate determination methods). The change will indicate that funds from Section 9817 of the ARPA will be temporarily utilized for activities approved in SCDHHS' ARPA spending plan.
3. The CS waiver is being renewed with a proposed effective date of July 1, 2022. The individual cost limit and identified changes made in the ID/RD waiver renewal will be incorporated in this renewal.
4. The HASCI waiver will be amended to include the Employment-Group waiver service. Changes made in the ID/RD waiver renewal will be incorporated in the amendment including updates to service definitions, including transition to residential habilitation tiers of service, updates to rate methodology, and addition of services (independent living skills, remote supports).

Current waiver participants will not be adversely impacted.

**Communication:**

These changes to the waivers were presented to the SCDHHS Medical Care Advisory Committee (MCAC) on Feb. 8, 2022, at 1801 Main Street, Columbia, SC 29201, and shared during the monthly Indian Health Services conference call on Jan. 26, 2022.

In addition, information regarding the proposed changes in the renewals will be shared with the public during the following webinar:

**Webinar: 1915(c) Home and Community-Based Waiver Amendments and CS Waiver Renewal**

- Monday, February 28, 2022, 1 p.m.  
Registration link: <https://scdhhs-events.webex.com/scdhhs-events/onstage/g.php?MTID=efa5cd99dae9102fb8808172b8898e5bd>
- Thursday, March 3, 2022, 11 a.m.  
Registration link: <https://scdhhs-events.webex.com/scdhhs-events/onstage/g.php?MTID=eef6c073ad5c21703ec271c6eb450c476>

A copy of this notice and the waiver applications are available at the following locations:

1. Electronic access: [www.scdhhs.gov](http://www.scdhhs.gov) (under “Public Notice” and “Waiver” sections)
  - SCDDSN website, [www.ddsn.sc.gov](http://www.ddsn.sc.gov)
  - Family Connection of South Carolina website, <http://www.familyconnectionsc.org>
  - South Carolina Developmental Disabilities Council website, [www.scdcdc.state.sc.us](http://www.scdcdc.state.sc.us)
2. Hardcopies:
  - SCDHHS central office lobby: 1801 Main Street, Columbia, SC, 29201
  - SCDHHS Community Long Term Care (CLTC) regional offices:

Greenville CLTC  
620 North Main Street, Suite 300  
Greenville, SC 29601

Florence CLTC  
2701 Alex Lee Boulevard, Suite 200  
Florence, SC 29506

Spartanburg CLTC  
101 North Pine Street, Suite 405  
Spartanburg, SC 29302

Conway CLTC  
1201 Creel Street  
Conway, SC 29527

Greenwood CLTC  
617 South Main Street  
Greenwood, SC 29646

Charleston CLTC  
4130 Faber Place Drive, Suite 303  
North Charleston, SC 29405

Rock Hill CLTC  
454 South Anderson Road, Suite 11  
Rock Hill, SC 29730

Anderson CLTC  
3215 Martin Luther King Jr. Boulevard,  
Suite H  
Anderson, SC 29625

Columbia CLTC

300 Arbor Lake Drive, Suite 900  
Columbia, SC 29223

Orangeburg CLTC

191 Regional Parkway, Building A  
Orangeburg, SC 29118

Sumter CLTC

30 Wesmark Court  
Sumter, SC 29150

Aiken CLTC

2361 S. Centennial Avenue  
Building 2, Suite B  
Aiken, SC 29803

Ridgeland CLTC

10175 South Jacob Smart Boulevard  
Ridgeland, SC 29936

**Public Comments and Responses:**

If you have a question or comment, please send it to the following email or mailing address prior to March 28, 2022:

Email: [comments@scdhhs.gov](mailto:comments@scdhhs.gov)

Mail: Attention: Mark Collins  
Office of Waiver and Facility Services  
SCDHHS  
Post Office Box 8206  
Columbia, SC 29202-8206

Any written comments submitted may be reviewed by the public at SCDHHS, Office of Waiver and Facility Services, 1801 Main Street, Columbia, SC 29201 from Monday-Friday, 8:30 a.m.-5:00 p.m.

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Robert M. Kerr  
Director

## Notice of Non-Discrimination

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If you believe SCDHHS has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with the Civil Rights Official using the contact information provided above. You can file a grievance in person, by mail, or via email. If you need help filing a grievance, we are available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf> or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, D.C. 20201 or by phone at: 800-368- 1019, 800-537-7697 (TDD). Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html> .