

**MONTANA SECTION 1115 WAIVER FOR ADDITIONAL SERVICES AND POPULATIONS (WASP)
AMENDMENT APPLICATION
Public Notice – July 2, 2021**

The Montana Department of Public Health and Human Services (DPHHS) is providing public notice of its intent to: (1) submit to the Centers for Medicare and Medicaid Services (CMS), on or before September 3, 2021, a written 1115 Demonstration application to amend the Waiver for Additional Services and Populations (WASP) Demonstration Program to remove 12-month continuous enrollment and (2) hold public hearings to receive comments on the 1115 Demonstration amendment application. DPHHS is seeking the removal of 12-month continuous enrollment to be effective July 1, 2021.

The current 1115 WASP Waiver's Special Terms and Conditions provide expenditure authority to enable 12-month continuous coverage for Waiver Mental Health Service Plan (WMHSP) enrollees and Medicaid-eligible parent and caretaker relative adults. Montana's currently approved WASP Waiver authorized expenditures for health care-related costs for WMHSP enrollees and non-expansion Medicaid-covered individuals whose eligibility is based on Modified Adjusted Gross Income (MAGI). These populations received continued benefits during any periods within a twelve-month eligibility period regardless of a change of circumstances, with some exceptions.

As directed by statute, DPHHS is seeking the removal of this expenditure authority from its 1115 WASP Waiver. The removal of this authority for all non-expansion Medicaid-covered individuals whose eligibility is based on MAGI (namely, parent and caretaker relatives) removes this population from any coverage under WASP. This population remains eligible for Medicaid as before; the only change for this population is that they will no longer have 12-month continuous eligibility.

This amendment also seeks the removal of cost sharing and copayments for demonstration enrollees, to align with the removal of cost sharing from the Montana Medicaid plan effective January 1, 2020. This will apply to WMHSP enrollees as well as the categorically eligible Aged, Blind or Disabled individuals who receive expanded dental treatment services through the WASP waiver.

DPHHS understands that it is required to maintain continuous Medicaid coverage during the public health emergency as a condition of receiving a temporary 6.2 percent Federal Medical Assistance Program (FMAP) increase under the Families First Coronavirus Response Act.¹ In the event that the national public health emergency is extended beyond the date of this amendment approval, DPHHS will maintain continuous enrollment through the end of the public health emergency.

¹ [P.L. 116-127](#), Families First Coronavirus Response Act, March 18, 2020.

Summary of Proposed Waiver Amendment

This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment. It also requests the removal of cost sharing and copayments for demonstration enrollees.

The Demonstration amendment request to remove 12-month continuous eligibility will affect the WMHSP enrollees and the parent and caretaker relative population of Medicaid enrollees. The removal of cost sharing will affect the WMHSP enrollees and the Aged, Blind and Disabled enrollees who receive expanded dental services through the WASP waiver.

There are no proposed changes to the Medicaid health care delivery system; Demonstration enrollees will continue to receive services through the State's fee-for-service delivery system. The State does not propose any changes to benefits for Demonstration enrollees.

Public Meetings and Comment Process

The full public notice statement and amendment application are available for public review at <https://dphhs.mt.gov/montanahealthcareprograms/medicaid/2021waspwaiver>. Paper copies are available to be picked up in person at the DPHHS Director's Office located at 111 North Sanders Street, Room 301, Helena, Montana 59601.

Two virtual public meetings will be held regarding the Demonstration application:

- (1) Public hearing on July 28 from 10:00 a.m. – 12:00 p.m. MT. The registration link is available at <https://dphhs.mt.gov/montanahealthcareprograms/medicaid/2021waspwaiver>.
- (2) Montana Health Coalition meeting on July 29 from 1:00 p.m. – 3:00 p.m. The registration link is available at <https://dphhs.mt.gov/montanahealthcareprograms/medicaid/2021waspwaiver>.

You will receive instructions for joining the meeting upon registration. If special accommodations are needed, contact Mary Eve Kulawik at (406) 444-2584 or mkulawik@mt.gov.

Public comments may be submitted until 11:59 PM (Mountain Time) on August 31, 2021. Questions or public comments may be addressed care of Medicaid WASP Waiver Amendment, Department of Public Health and Human Services, Director's Office, PO Box 4210, Helena, MT 59604-4210, or by telephone to (406) 444-2584, or by electronic mail to dphhscomments@mt.gov. Please note that comments will continue to be accepted after August 31, 2021, but the state may not be able to consider those comments prior to the initial submission of the Demonstration application to CMS.

After Montana reviews comments submitted during this state public comment period, the state will submit a revised application to CMS. Interested parties will also have an opportunity to

WASP Amendment Public Notice – Abbreviated
06.29.2021

officially comment during the federal public comment period; the submitted application will be available for comment on the CMS website at <https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/index.html>.