



*DELAWARE HEALTH AND SOCIAL SERVICES*

Division of Medicaid & Medical Assistance

**State of Delaware  
Public Notice  
Delaware Health and Social Services**

**Delaware Diamond State Health Plan  
1115 Demonstration Waiver Amendment Request**

**Purpose**

Pursuant to the Special Terms and Conditions of Delaware's approved Medicaid demonstration waiver, the Delaware Department of Health and Social Services (DHSS), Division of Medicaid and Medical Assistance (DMMA) is required to submit a public notice consistent with 42 C.F.R 431.408 of its intent to submit a Section 1115 Waiver amendment to the Centers for Medicare & Medicaid Services (CMS). DMMA is requesting an amendment to the Diamond State Health Plan (DSHP) 1115 Demonstration Waiver to add coverage of five Medicaid services. The objectives of this waiver amendment are to improve maternal and child health, to support Delaware Medicaid beneficiaries and families who rely on home and community based services (HCBS), and to continue rebalancing Delaware's Medicaid long-term care system in favor of home and community based services.

**Proposed Amendment: Summary of Proposed 1115 DSHP Waiver Amendment**

The DMMA is requesting an amendment to the DSHP 1115 Demonstration Waiver to add the following benefits under the Waiver and incorporate these benefits into the DSHP and DSHP Plus managed care models, effective January 1, 2023:

- (1) Coverage of two models of evidenced-based home visiting for pregnant women and children under the age of two who meet enrollment criteria established by the Nurse Family Partnership and Healthy Families of Delaware.
- (2) Permanent coverage of a second home-delivered meal for members receiving HCBS in DSHP Plus. Delaware currently covers a second meal under temporary authority from CMS that will expire six months after the end of the COVID-19 public health emergency.

- (3) Coverage of a pediatric respite benefit as an American Rescue Plan Act (ARP) Section 9817 HCBS Spending Plan initiative. Respite will be provided for children and young adults up to age 21 who are not receiving respite through DSHP Plus, PROMISE or the Lifespan Waiver. This new pediatric respite benefit will be provided for children with a physical health or behavioral health condition affecting their ability to care for themselves and will be furnished on a short-term basis to allow temporary relief from caretaking duties for the child's primary unpaid caregiver, parent, court-appointed guardian, or foster parent.
- (4) Coverage of a self-directed option for parents on behalf of children receiving state plan personal care services. In response to the needs of Delaware families, including parents and guardians serving children with complex medical conditions, DMMA is seeking authority to give parents/guardians the option to self-direct the Medicaid State Plan personal care (attendant care) received by their child or young adult up to age 21. This self-directed option will give families the flexibility to hire, for example, a neighbor, friend, or family member, including a legally responsible family member as the service provider, as long as the individual meets all employee qualifications as verified by the DSHP MCO.
- (5) Coverage of Delaware's Nursing Home Transition Program (formerly Money Follows the Person Demonstration) under the DSHP 1115 waiver. These services, including one-time payment of up to \$2500 for securing a community-based home and purchasing HCBS goods and services essential for the transition, will support a DSHP Plus member's transition from a nursing facility to an HCBS setting.

### **Public Comment Submission Process**

As required by 42 CFR 431.408, DMMA must provide opportunity for a 30-day public comment period on the proposed DSHP 1115 Waiver amendment. The public is invited to review and comment on the proposed DSHP 1115 Waiver amendment as of the date of publication of this public notice. Comments must be received by 4:30pm on June 15, 2022. This deadline has been extended from June 10, 2022.

This public notice, a copy of the draft waiver amendment, and a copy of the current approved waiver will be posted on the DMMA website beginning May 13, 2022 at: <http://dhss.delaware.gov/dhss/dmma/medicaid.html>

Comments on the amendment may be submitted the following ways:

By email: [DMMA\\_PublicHearing@delaware.gov](mailto:DMMA_PublicHearing@delaware.gov)

By fax: 302-255-4481 to the attention of Kimberly Xavier

By mail:

1115 Demonstration Waiver Amendment  
Division of Medicaid and Medical Assistance  
Planning and Policy Unit  
1901 North DuPont Highway P.O. Box 906  
New Castle, Delaware 19720-0906

The hardcopy waiver amendment will be available by request via email at:  
DMMA\_PublicHearing@delaware.gov (Please identify in the subject line: 1115  
Demonstration Waiver Amendment)

**Public Comment Meetings:**

DMMA will hold two public meetings with opportunity for public comment, as listed below:

**1. New Castle County**

Virtual Meeting

May 18, 2022

9:00am – 11:00am

Via Zoom:

<https://zoom.us/j/99696774582?pwd=SDJCcGpVamx3Sy9jMkRiNXpJaStNdz09>

Meeting ID: 996 9677 4582

Passcode: 080737

**2. Kent County**

In-person and virtual meeting

May 24, 2022

2:00pm – 3:30pm

Edgehill Shopping Center

Large Conference Room

43 S. Dupont Hwy

Dover, DE 19901

Via Zoom:

<https://us06web.zoom.us/j/87837587571>

Meeting ID: 878 3758 7571

Passcode: 381804

Any public feedback received will be summarized including any changes that will be made as a result of the public comments on the DSHP 1115 Waiver amendment.

If you require special assistance and/or services to participate in the public meeting (e.g., sign language interpretation or other translation services, etc.), please call or e-mail the following contact at least ten (10) days in advance (when possible) prior to the meeting for arrangements:

Maxine Jacobs (302) 255-9651; [sarahmaxine.jacobs@delaware.gov](mailto:sarahmaxine.jacobs@delaware.gov)

The prompt submission of requests helps to ensure the availability of qualified individuals and appropriate accommodations in advance.