



STATE OF DELAWARE

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARINGS

DELAWARE HEALTH AND SOCIAL SERVICES

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE

Proposed Amendment for the DDDS Lifespan Waiver

HOME AND COMMUNITY-BASED SERVICES WAIVER

In accordance with the public notice requirements of 42 CFR 441.304(d)(1), 42 CFR 441.304(e), and 42 CFR 441.304(f) and Title 29, Chapter 101 of the Delaware Code, Delaware Health and Social Services (DHSS)/Division of Medicaid and Medical Assistance (DMMA) gives notice related to the amendment of the DDDS HCBS Medicaid Waiver authorized under section 1915(c) of the Social Security Act.

Purpose

The purpose of this posting is to provide public notice and elicit public input regarding Delaware's proposed amendment of its current 1915 (c) HCBS Lifespan Waiver that serves individuals with intellectual and developmental disabilities (IDD).

Overview and Summary of the Lifespan Waiver Amendment

Delaware proposes to amend the DDDS waiver that has been in continuous operation since 1987. The waiver must be renewed every five years. Any changes during those five years must be made through an amendment to the current approved waiver. The DDDS waiver is targeted to individuals with intellectual developmental disabilities (IDD) (including brain injury), autism spectrum disorder, and Prader-Willi Syndrome. It provides services and supports as an alternative to institutional placement and promotes independence, enables the individual to live "their good life" safely in the community, encourages community engagement, and respects and supports their desire to work or engage in other productive activities.

Change(s) to the current waiver include:

- Updating language to the Nurse Consultation service description to include the following text:

“When it is appropriate, necessary, and in the best interest of the services recipient, the division may authorize a registered nurse to perform a medical procedure within the registered nurse’s scope of practice, experience, and proficiency.”

- Reducing the maximum allowable group size for Group Supported Employment to five (5) from eight (8).
- Adding language to the Respite service description specifically around crisis respite as well as adding an additional provider type for Crisis Respite Agency.
- Add Enhanced Behavioral Residential as a new service.
- Add Remote Supports as a new service.
- Removed Specialized Medical Equipment and Supplies as a waived service.
- Update Appendix I to reflect the methodologies used for new services added to waiver.
- Updated Appendix J for Waiver Year 3, Waiver Year 4, and Waiver Year 5 including counts of members, units, cost per unit, and the addition of new services.

Background

Delaware has operated a Home and Community Based Services (HCBS) Waiver for individuals with intellectual and developmental disabilities continuously since 1987. The authority under the Social Security Act that allows HCBS waivers to be created requires that each waiver be renewed every five years.

Public Comment Submission Process

As required by 42 CFR Part 441.304, DHSS/DMMA must establish and use a public input process for any changes in the services or operation of the waiver. Per Del. Code, Title 29, Ch. 101 §10118 (a), the opportunity for public comment shall be held open for a minimum of 30 days after the proposal is published in the Register of Regulations. The opportunity for public written comment shall be extended for a minimum of 15 days after the final public hearing when 1 or more public hearings are held on the proposal. The public is invited to review and comment on the proposed Lifespan Waiver Amendment. Comments must be received by 4:30 p.m. on November 14, 2025. Individuals may submit written comments using one or all the following methods:

By email: [DHSS_DMMA_Publiccomment@ Delaware.gov](mailto:DHSS_DMMA_Publiccomment@Delaware.gov)
(Please identify in the subject line: *DDDS Lifespan Waiver Amendment*)

By fax: 302-255-4481 to the attention of Melissa Dohring

By written comments sent to:
DDDS Lifespan Waiver Amendment
Division of Medicaid and Medical Assistance
Planning, Policy & Quality Unit
1901 North DuPont Highway
P.O. Box 906
New Castle, Delaware 19720-0906

This public notice, the Amendment, and a summary of the Amendment are posted online at:

<https://dhss.delaware.gov/dhss/dmma/homeandc.html>

The DMMA and DDDS websites will indicate the locations at which the hardcopy can be viewed.

The hardcopy waiver amendment will be available at the following locations from October 1, 2025, through November 14, 2025.

- DDDS Fox Run Office at: 2540 Wrangle Hill Road, Suite 200, Bear, DE 19701
- Thomas Collins Building at: 540 South Dupont Hwy, 1st Floor, Dover, DE 19901
- Woodbrook Office at: 1056 S. Governors Ave, Dover, DE 19904
- Stockley Center campus at: 26351 Patriots Way, Georgetown, DE 19947 - 101 Boyd Blvd.

Public Hearings

Notice will be published regarding the amendment in the October 1, 2025, Delaware Register of Regulations with a link to the website where the complete application may be found. The comment period begins on October 1, 2025, and ends on November 14, 2025.

This timeframe allows an additional period of 15 days for the public to comment after the last public meeting.

The public will have the opportunity to comment using the process described in the Register notice.

Following the comment period the State reviews, considers, and responds to all comments received.

Dates and Locations for Public Hearings for the Lifespan Waiver Amendment-

New Castle County

October 28, 2025

10:00 am- 11:00 am

DDDS Fox Run Office

2540 Wrangle Hill Rd., Suite 200

Bear, DE 19701

2nd floor large training room

***If you would prefer to participate virtually:**

Via Zoom:

<https://ddds.zoom.us/j/89156115991>

Meeting ID: 891 5611 5991

Kent County

October 27, 2025

1:00 pm-2:00 pm

DDDS Annex (right next to KSI building)

391 A Rehoboth Blvd.

Milford, DE 19963

***If you would prefer to participate virtually:**

Via Zoom:

<https://ddds.zoom.us/j/82993928781>

Meeting ID: 829 9392 8781

Sussex County

October 29, 2025

6:00 pm – 7:00 pm

Georgetown Public Library

123 W. Pine Street

Meeting Room A1

Georgetown, De 19947

***If you would prefer to participate virtually:**

Via Zoom:

<https://ddds.zoom.us/j/87459963707>

Meeting ID: 874 5996 3707

DDDS will summarize any public feedback received including any changes it has made as a result of the public comment to the proposed Lifespan Waiver Amendment that will be submitted to CMS.

If you require special assistance and/or services to participate in the public hearing (e.g., sign language interpretation or other translation services, etc.) please call or e-mail the following contact at least ten (10) days prior to the hearing for arrangements: Larry Pusey at Larry.Pusey@delaware.gov or 302-744-9714.

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

DocuSigned by:

Andrew Wilson

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Andrew Wilson

Division Director

Division of Medicaid and Medical Assistance

Date 9/8/2025 | 6:06 AM EDT