Alabama Medicaid Agency

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TIMOTHY "BO" A. OFFORD, JR.
Commissioner

September 11, 2025

Public comment notice

Pursuant to 42 CFR 441.304(f), the Centers for Medicare and Medicaid Services (CMS) requires states to obtain public input during the development of a waiver renewal. The Alabama Medicaid Agency (Medicaid) is issuing this 30-day public notice requesting public review and comment on the proposed amendment of the Community Waiver Program (CWP). This Waiver provides Home and Community-Based Services (HCBS) to individuals (ages 3+) who, but for the provision of such services, would require Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) level of care as defined in 42 CFR §440.150. Specific to the CWP, Medicaid is the Administering Agency, and the Alabama Department of Mental Health, Division of Developmental Disabilities (ADMH-DDD) is the Operating Agency. The purpose of the amendment is to update waiver eligibility criteria and allow relatives, including a legal liable relative, and/or a legal guardian rendering self-directed Personal Care Assistance (Home and Community) and Community Transportation Services to receive payment for rendering services to align with the Intellectual Disabilities (ID) and Living at Home (LAH) Waivers as long as the 1) the relative/legal guardian is otherwise qualified to provide these services and 2) the relative/legal guardian does not also serve as the same participant's representative/Employer of Record (EOR).

The link below provides accessibility to review the proposed Waiver amendment:

CWP Waiver information:
https://medicaid.alabama.gov/content/6.0_LTC_Waivers/6.1_HCBS_Waivers/6.1.9_Community_Waiver_Program.aspx

Medicaid welcomes public comments on the proposed Waiver amendment. The public is invited to review and submit written comments beginning September 12, 2025. The comment period will conclude at 5:00 p.m. CST on October 12, 2025. Comments can be emailed to PublicComment@medicaid.alabama.gov or mailed to the provided address.

Alabama Medicaid Agency
ATTN: LTC Healthcare Reform Development Division, Specialized Waiver Unit
P.O. Box 5624
Montgomery, Alabama 36103-5624

Comment letters must be postmarked by October 12, 2025, to be accepted. Upon request, a hard copy of this public notice and proposed waiver renewals can be made available for public review at Medicaid's Central Office and each District Office location. Please note that public comments

submitted in response to this notice are considered public documents. Waiver materials will be available for public review on the Alabama Medicaid website.