

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

March 25, 2024

Lori A. Weaver, Commissioner
Department of Health and Human Services
120 Pleasant Street
Concord, NH 03301

RE: Corrective Action Plan (CAP) Completion for New Hampshire State 1915(c) Home and Community-Based Services (HCBS) Waivers: Developmental Disabilities (DD) NH.0053, Acquired Brain Disorder (ABD) NH.4177 and In-Home Supports (IHS) NH.0397

Dear Commissioner Weaver:

The Centers for Medicaid and Medicare Services (CMS) issues this CAP completion letter to New Hampshire as an acknowledgement of the state's commitment to address compliance with conflict of interest (COI) and direct billing requirements. As of November 11, 2023, New Hampshire confirms that the HCBS waiver programs impacted by the CAP: DD-NH.0053, ABD- NH.4177 and IHS-NH.0397, are compliant with 42 CFR 441.301(1)(vi) and 42 CFR 447.10.

CMS recognizes the state's assurance and CAP workplan, which consisted of quarterly reports, monthly meetings with CMS, completed milestones and timelines, transparency and access to information associated with the components of the CAP, stakeholder engagement, modifications to internal state processes, and approval of the Only Willing and Qualified Provider (OWQP) Protocol. These CAP activities led to CMS' determination that New Hampshire meets all requirements related to the development and implementation of the CAP. Furthermore, the state has demonstrated the separation of the provision of case management and direct service delivery along with meeting compliance with direct billing regulations, which provides the assurance that all rendering service providers are enrolled with and have the ability to bill Medicaid directly.

Lastly, CMS will continue to provide technical assistance as needed to the state regarding the required federal HCBS waiver assurances.

Thank you for your team's cooperation during this process. If you have any questions

concerning this information, please contact me at (206) 615-3814. You may also contact Christopher Semidey at Christopher.Semidey@cms.hhs.gov or (212) 616-2328.

Sincerely,

Wendy E. Hill
Petras -S

Digitally signed by Wendy E.
Hill Petras -S
Date: 2024.03.25 14:55:04
-07'00'

Wendy Hill Petras, Deputy Director
Division of HCBS Operations and Oversight

cc:

Christopher Semidey, CMS
Ciera Lucas, CMS
Cynthia Nanes, CMS
Shante Shaw, CMS
Wendy Hill Petras, CMS
Melissa Hardy, NH-DHHS
Jessica Gorton, NH-DHHS
Henry Lipman, NH-DHHS

Enclosed:

New Hampshire CAP Workplan
OWQP Protocol