

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
San Francisco Regional Office
90 Seventh Street, Suite 5-300 (5W)
San Francisco, CA 94103-6706



DIVISION OF MEDICAID & CHILDREN'S HEALTH OPERATIONS

APR 25 2013

Toby Douglas, Director
California Department of Health Care Services
P.O. Box 997413, MS 0000
Sacramento, CA 95899-7413

Dear Mr. Douglas:

Enclosed is an approved copy of California State Plan Amendment (SPA) 09-023A. SPA 09-023A, submitted to my office as part of SPA 09-023 on December 30, 2009, establishes home and community based services (HCBS) under the Section 1915(i) State Plan Option for persons with a developmental disability that require a level of care that is less stringent than institutional criteria.

Since the state has elected to target the population who can receive these Section 1915(i) State plan services, CMS approves this SPA for a five-year period, in accordance with Section 1915(i)(7) of the Act. The State will be able to renew this SPA for an additional five-year period if CMS determines, prior to the beginning of the renewal period, that the state met federal and state requirements and that the state's monitoring is in accordance with the quality improvement strategy specified in the approved SPA. Upon publication of the final regulations for Section 1915(i) State plan HCBS, California will also need to come into compliance with any requirements imposed by the final regulations not already met.

The effective date of this SPA is October 1, 2009. Enclosed are the following approved SPA pages to be incorporated into your approved State Plan:

- Attachment 3.1-i, pages 1 – 81
- Attachment 4.1-B, pages 69 – 77

If you have any questions, please contact Cynthia Nanes at (415) 744-2977 or by email at Cynthia.Nanes@cms.hhs.gov.

Sincerely,

/s/

Gloria Nagle, Ph.D., MPA
Associate Regional Administrator
Division of Medicaid & Children's Health Operations