

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

200 Independence Avenue SW

Washington, DC 20201

SMDL #02-007

May 3, 2002

Dear State Medicaid Director:

In recent years, the number of comprehensive 1115 waivers, Home and Community-Based Service Waivers, and managed care waivers have increased in the Medicaid program. For example, the Medicaid program served approximately 700,000 individuals through Home and Community-Based waiver services at a cost of \$14.8 billion in 2001. As states expand eligibility for Medicaid and remove barriers to community living, it continues to be important that the public be involved in the development of such waivers.

There are many ways in which states can provide the opportunity for public input to the waiver process. Some examples are:

Public forums

Legislative hearings

Placement of information on the state website with a link for public comments

Distribution of draft waiver applications for comment

Presentations to enrollees, families, private providers and public interest representatives

Presentations to enrollees, families, private providers and public interest representatives of targeted services or populations (mental health, foster care, independent living, etc.)

Forming a special commission with broad representation including recipients, families, private providers, and public interest representatives

Formal notice and comment in accordance with the State's administrative procedures

Notices in newspaper

We reached a broad audience in the development of the report to the President on the New Freedom Initiative. The Administration employed a number of methods for soliciting public input including a very successful National Listening Session. Such efforts strengthen the public policy decision-making, identify innovative strategies, and improve coordination of the many different participants in the health care and social services systems that Medicaid waivers often affect.

We encourage you to include public participation when pursuing all types of waivers in the effort to provide Medicaid services in the most effective ways possible. As you know, we continue to review 1115 waiver applications to ensure adherence to the public notice procedures outlined in the September 27, 1994 Federal Register notice (59 FR 49249).

Sincerely,

/s/

Dennis G. Smith