

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-14-26
Baltimore, Maryland 21244-1850



Medicaid Benefits and Health Programs Group

September 25, 2023

Traylor Rains, Medicaid Director
Oklahoma Health Care Authority
4345 N. Lincoln Boulevard
Oklahoma City, OK 73105

Dear Director Rains:

The Centers for Medicare & Medicaid Services (CMS) confirms receipt of the State of Oklahoma's action to withdraw its Corrective Action Plan (CAP) to bring settings into compliance with the federal home and community-based services (HCBS) regulations found at 42 CFR §441.301(c)(4)-(5). By withdrawing the CAP, the state is attesting it is fully compliant with the final HCBS settings rule and addressing instances of non-compliance through the state's ongoing monitoring and quality assurance processes.

Withdrawal of a CAP solely addresses the state's compliance with the applicable Medicaid authorities. The state's withdrawal does not address the state's independent and separate obligations under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act or the Supreme Court's *Olmstead v. LC* decision. Guidance from the Department of Justice concerning compliance with the Americans with Disabilities Act and the *Olmstead* decision is available at: http://www.ada.gov/olmstead/q&a_olmstead.htm.

Thank you for your efforts to ensure all settings are in compliance with the federal HCBS regulations. If you have questions or need further assistance, please contact Amanda Hill at Amanda.Hill@cms.hhs.gov or (410) 786-2457.

Sincerely,

Ryan Shannahan, Deputy Director
Division of Long-Term Services and Supports

cc: George Failla, Director, Division of HCBS Operations and Oversight, CMCS, CMS