



DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

MAY 17 2018

Administrator
Washington, DC 20201

The Honorable Steve Stivers
U.S. House of Representatives
Washington, DC 20515

Dear Representative Stivers:

Thank you for your letter supporting greater incorporation of technology in the delivery of services to people with disabilities under home and community-based service (HCBS) programs and in Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID). We agree that technology can play an important role in services for individuals with disabilities.

The Centers for Medicare & Medicaid Services (CMS) permits states to include electronic monitoring devices as "medical assistance" under their state Medicaid plans under section 1915(c) of the Social Security Act (1915(c) HCBS waivers) under the general category of assistive technology and/or environmental modification services. Ohio, Indiana, Maryland, West Virginia and Pennsylvania are several of the states where such services have been approved. CMS reviews a state's proposal to use this technology as it would for other HCBS services under section 1915(c) of the Social Security Act (the Act). CMS may consider other emerging technologies as long as states provide adequate assurances in accordance with statutory requirements, such as they are cost effective, necessary to avoid institutional placement, and provided in a way that assures protection of the health and welfare of the individual.

With regard to the institutional option for individuals in these 1915(c) HCBS programs, if ICF-IIDs choose to supplement resident supervision with electronic monitoring, they must ensure that the monitoring is implemented in a manner that promotes health and safety. It also is important to avoid conflict with regulatory provisions designed to promote personal privacy and awareness of rights.

We recognize the need to deliver services in new and innovative ways based on the evolving availability of technology and the realities of the direct service worker shortages. Together with you and our state partners, CMS will strive for the right balance between innovation and accountability in the provision of needed services to Medicaid beneficiaries including the use of payment models such as shared savings where appropriate.

Thank you for sharing your thoughts. We look forward to continued conversations on ways to more effectively provide Medicaid services. In addition, CMS encourages providers who are interested in utilizing specific technologies to have discussions with their State Medicaid Agency on ways to move forward. If you would like to discuss this further, please contact our Office of Legislation at 202-690-8220. I also will provide this response to the co-signers of your letter.

Sincerely,

A handwritten signature in blue ink that reads "Seema Verma". The signature is fluid and cursive, with the first name "Seema" and last name "Verma" clearly distinguishable.

Seema Verma