


MEMORANDUM

TO: State Medicaid Directors
State Directors for Agencies Administering the HCBS Waivers

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FROM: Barbara Edwards, Director 
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SUBJ: HCBS Quality Communication # 15

Web Based 1915 (c) Waiver Application; Instructions and Technical Guide; Resource documents; CMS 372 Online Form

DATE: January 25, 2010

The Centers for Medicare & Medicaid Services (CMS) is pleased to announce that the Office of Management and Budget (OMB) has approved CMS' request to revise the data collection methodology for the application for 1915(c) Home and Community Based Services (HCBS) waivers. Specifically, this revision changes the method by which States can submit applications related to their 1915(c) HCBS waivers, so that the only approved manner is through the online application which is found at www.hcbswaivers.net.¹

CMS revised the waiver application for Section 1915(c) HCBS waivers, and has developed a web-based application for States and CMS to use for the submission, review, amendment, renewal and approval of these applications. The revised, web-based application for HCBS waivers contains greater detail on the programs than its paper-based predecessor (developed in 1995). This detail allows CMS to obtain a full breadth of knowledge about the program before rendering a decision on its approval or continuation. Furthermore, the web-based

format of the application provides unprecedented data regarding the structure and design of these programs, including methods for individual protections, the anticipated costs and numbers of persons to be served. In addition to the application, CMS has developed a complete set of instructions to accompany the document. These instructions and technical guidance provide specific direction on how to complete the form, and provide all statutory, regulatory and policy guidance applicable to the waiver program.

In November of 2006, CMS made the online application available for voluntary State use. Since that time, 44 States and the District of Columbia have used the tool for more than 187 waivers. Users log on at www.hcbswaivers.net to access the web-based application. Each State Medicaid Agency has an assigned system administrator who can provide appropriate State staff with access to the system. For information regarding your State's system administrator, contact the State Medicaid Agency.

Online CMS 372

In addition to the approval of the web-based waiver application, CMS has gained approval from OMB for an online CMS-372 Form, the Annual Report on Section 1915(c) Home and Community Based Services (HCBS) waivers.ⁱⁱ The online version of the CMS-372 Form contains the same content as the previously approved CMS-372 Form, including all of the same statistical information which provides vital information on the services provided through the waivers, the utilization of those services, and the statutorily required cost neutrality calculations.

CMS requires that States submit the annual CMS-372 Form no later than 18 months after the close of the waiver year. This submission should include all statistical information for the waiver year for which the report is submitted. States with current and complete data for the waiver year that wish to submit the report early may do so. Once submitted, CMS will review the submission against the approved waiver using a nationally standard tool for review.

States must continue to report cost, utilization and quality data on the CMS 372 Form. The timeframes on the 372 are by waiver year, and the report is due to CMS 18 months after the close of the waiver year. In order to maintain the most up to date information on the state's quality activities, the state should report quality information on the past 12 months. In other words the reporting period for the quality information may not coincide with the utilization and expenditure information on the report. The State may include the quality information on their next scheduled submission of the 372 form by reporting both on the previous waiver year, and up to the present time. In such instance, the State should inform the Regional Office that the quality information includes a "catch up" report.

Timelines for Use of the Web-Based Application and Online CMS 372

Beginning on April 1, 2010, CMS will only accept new 1915(c) waiver applications or renewals for existing 1915(c) waivers submitted using the web-based application. Amendments to any waiver approved in the web-based application must also be submitted through the web-based application. Amendments to waivers that have not yet been approved or renewed in the web based system will be accepted in electronic Word or .pdf format only until such time that the waiver is due for renewal.

The online CMS 372 must also be used for any 372 due on or after April 1, 2010.

Resources and Training

CMS is pleased to offer resources and training to assist all users in the use and functionality of the web-based application and online CMS-372 form. CMS holds trainings every other month, and are offered via webinar technology, meaning that staff can access the training from their own desk. Information on registration and slides for the training are available at www.hcbswaivers.net. There is ample opportunity to ask questions and engage CMS in dialogue during the training. The users are a wonderful source of suggested improvements to the system, and we use this interaction to note areas for future improvements to the system.

ⁱ The OMB Control number is 0938-0449 for the web-based application.

ⁱⁱ The OMB control number for the CMS-372 is 0938-0272.