



Steve Bullock, Governor
Richard H. Opper, Director

August 1, 2016

Dear:

We are pleased to invite further comment from all the Tribal Chairs, Tribal Presidents, Urban Indian Directors and Indian Health Services regarding how Montana intends to comply with the U.S. Department of Public Health and Human Services' Centers for Medicare and Medicaid Services (CMS) published regulation in the Federal Register (42 CFR 441.301(c) (4)-(6) related to Home and Community Based Services (HCBS) settings for section 1915(c) and approved state plans providing HCBS under section 1915 (i).

These rules require states to develop and submit a transition plan identifying how their HCBS waivers and 1915 (i) state plans providing HCBS services will come into full compliance with these regulations. The Montana Department of Public Health and Human Services has previously provided three opportunities for public comment on Montana's HCBS Transition Plan, Provider Self-Assessment and Member Survey Tools and the Validation tool and process for HCBS setting compliance.

CMS has reviewed the HCBS Statewide Transition Plan submitted by Montana and has asked for additional details and clarifications on the process for meeting compliance with these regulations before they can approve our Statewide Transition Plan.

Montana has modified the previously published HCBS Transition Plan to provide more comprehensive details and more specificity in Montana's process for compliance with these regulations related to HCBS settings. We are now seeking public input on the modifications that have been made to the revised Statewide Transition Plan through the consultation processes. Native American people both on and off the reservation may receive these waiver and state plan services, and these setting requirements will apply to them.

This public notice and the revised HCBS Statewide Transition Plan and other related information for submitting comments are posted on the DPHHS web site at: <http://dphhs.mt.gov/hcbs>. The state, upon request, will make available hard copies of the revised Statewide Transition Plan.

Comments and other input on this revised HCBS Transition Plan should be submitted **by September 2, 2016**, by phone at (406) 444-2584; email at MKulawik@mt.gov with Statewide Transition Plan in the subject line; or via mail to: Mary Eve Kulawik, DPHHS, 111 N. Sanders St., Room 301, P O Box 4210, Helena, MT 59604-4210.

The Department of Public Health and Human Services is committed to a rigorous and transparent public process. We want you to have an opportunity to review the revised Statewide Transition Plan, understand the concepts, and offer your comments.

Sincerely,

Mary E. Dalton
State Medicaid Director

Cc: Jason Smith, Director, Governor's Office of Indian Affairs
Lesa Evers, Tribal Relations Manager, DPHHS