

# Congress of the United States

Washington, DC 20515

November 9, 2023

The Honorable Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare & Medicaid Services  
200 Independence Avenue SW  
Washington, D.C. 20201

Dear Administrator Brooks-LaSure:

We are writing regarding Minnesota's Community First Services and Supports (CFSS) Medicaid state plan amendment. The Minnesota Department of Human Services (DHS) has been receiving technical assistance from the Centers for Medicare & Medicaid Services (CMS) over the past year, but CMS has yet to provide approval for DHS to implement the plan. We therefore respectfully request that CMS expedite approval of the CFSS state plan amendment (SPA) so that implementation may begin prior to the November 11, 2023 expiration date of Minnesota's current Medicaid long-term services and supports (LTSS) 1915(c) waiver.

Section 1915(k) of the Social Security Act allows states the option of providing home and community-based attendant LTSS through their State Plans. The 1915(k) option, also known federally as the Community First Choice (CFC) benefit, went into effect in October 2011.

CFSS would differ from Minnesota's current Personal Care Assistance (PCA) waiver through its emphasis on self-direction. Under CFSS, individuals have control of how, when, where, and by whom their personal assistance services and support are provided.

CFSS would continue to cover the services and supports of the current PCA waiver while providing additional flexibility to support recipient independence and choice. For example, CFSS would allow parents of minors and spouses to be reimbursed as workers, a benefit that is not allowable under Minnesota's current Medicaid waiver. This is critical flexibility for families in Minnesota in the midst of a workforce shortage. Minnesota's current waiver to allow this flexibility expires on November 11, 2023.

In addition, Minnesota's CFSS program allows recipients to choose to use a portion of their budget to purchase goods or services, increasing their independence. They would also have additional access to support planning to ensure informed choice through consultation services. These flexibilities would support patients in their homes and communities without requiring 1915(c) waiver eligibility.

These benefits are consistent with CMS's goals of encouraging a person-centered, long-term support system and giving people the opportunity to decide where they live and which services they receive. We ask that you prioritize timely review and approval of Minnesota's CFSS state plan amendment.

Thank you for considering this request.

Sincerely,



Angie Craig  
Member of Congress



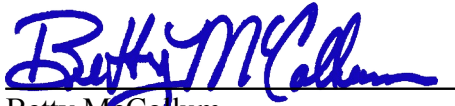
Amy Klobuchar  
United States Senator



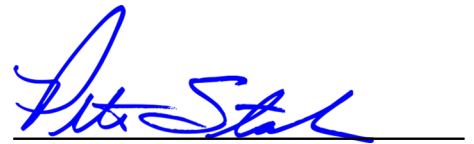
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Member of Congress



Ilhan Omar  
Member of Congress



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Tina Smith  
United States Senator