



**DHS Secretary Mark White
Office of the Secretary**

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Hon. Terry Rice, Co-Chair
Hon. Jeff Wardlaw, Co-Chair
Arkansas Legislative Council
1 Capitol Mall, Fifth Floor
Little Rock, Arkansas 72201

Dear Senator Rice and Representative Wardlaw:

As directed by Section 15 of Act 213 of 2022, I am reporting to Arkansas Legislative Council the status of our efforts to increase the reimbursement rates for assisted living facilities under the Living Choices Assisted Living Waiver. The proposed rule to implement the increase was published for public comment through October 24. One public comment was received, and that comment indicated support for the rate increase. We anticipate that the proposed rule will come before Arkansas Legislative Council for review in December.

We are currently awaiting approval of the proposed waiver amendment from CMS. DHS staff participated in a phone call today with CMS staff to discuss the proposed waiver amendment, and CMS did not identify any immediate concerns. The next step in the normal CMS process is for a CMS Rate Contractor to meet with DHS and our actuary to discuss the methodology behind the rate increase and its impact on budget neutrality for the waiver. We have asked CMS to schedule that call as quickly as possible. After that Rate Contractor call is completed, CMS may send us additional written questions, and we will respond as necessary. We are still pursuing final waiver approval for a January 1, 2023, effective date.

Legislators are welcome to reach out with any questions, comments, or concerns. Members may contact me at 501-320-6009 or mark.white@dhs.arkansas.gov.

Sincerely,

Mark White
Secretary of Human Services