



State of Wisconsin
Department of Health Services

Scott Walker, Governor
Dennis G. Smith, Secretary

May 8, 2012

The Honorable Jon Richards
State Representative
118 North, State Capitol
Madison, WI 53702

Dear Representative Richards:

Thank you for forwarding the letter to the Chairs of the Joint Committee on Finance regarding the status of our discussions with the Centers for Medicare and Medicaid Services (CMS). I appreciate the opportunity to respond to your concerns regarding federal renewal of Wisconsin's Family Care program.

First, let me assure you that CMS has already committed to another temporary extension, if needed, of the Family Care program so its staff has sufficient time to review the considerable material we have provided regarding the Family Care temporary enrollment cap. To be clear, the program is not in danger of termination.

Second, it is the position of DHS that we have complied with federal requirements applicable to Family Care. Third, we have provided what we believe to be sufficient rationale as to how we have also satisfied requirements regarding the Maintenance of Effort (MOE) provisions of federal law. Fourth, as of this writing and since receipt of our information, CMS has made no final determination regarding the compliance matter that you raised.

It is not, therefore, accurate to characterize the State as out of compliance with any federal law.

A number of federal staff participating in Family Care discussions are relatively new to the program. Further, a number of issues have been raised, the discussion about which indicates some CMS staff do not fully understand how Wisconsin Family Care actually works, the role of our Aging and Disability Resource Centers (ADRCs), or how services are delivered through Family Care Managed Care Organizations (MCOs) and the innovative IRIS program. We believe these factors have contributed to the lengthy discussions with CMS regarding the Family Care program.

Finally, we are concerned that low-income seniors and people with disabilities who rely upon Family Care will be unnecessarily alarmed by misstatements that the program is in jeopardy. Again, this is neither an authoritative nor factual representation of our ongoing talks with CMS.

Our ADRCs, Family Care MCOs and IRIS continue to review all applicants for assistance, verify eligibility, develop individual treatment and care programs and assist our participants in selecting the most appropriate long term care option to address their specific needs.

The Honorable Jon Richards

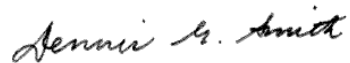
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It is the unequivocal commitment of this Department that Family Care clients will continue to receive the long term care services best suited to their individual needs, at the time they most need them, for so long as they may need them. I am confident we share the same goal of providing quality services at the best value, while ensuring that Family Care is financially capable of meeting the needs of our current and future beneficiaries.

I appreciate your concern. I am optimistic that once CMS has had an opportunity to review all of the information we have provided, approval of our 1915 (b) waiver will be granted.

Sincerely,

A handwritten signature in cursive script that reads "Dennis G. Smith".

Dennis G. Smith
Secretary