
OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES**Public Notice Regarding Amendment of the Traumatic Brain Injury Waiver**

In accordance with public notice requirements established at 42 CFR 447.205, the Indiana Family and Social Services Administration (FSSA) Office of Medicaid Policy and Planning (OMPP) and the Division of Aging (DA) intends to submit a renewal for the Traumatic Brain Injury (TBI) waiver to the Centers for Medicare and Medicaid Services for consideration.

The TBI waiver provides Medicaid home and community-based services to eligible participants in a range of community settings as an alternative to care in a nursing facility. The waiver is designed to provide services to supplement informal supports for persons who would require care in a nursing facility if waiver or other supports were not available. The program permits a state to furnish an array of home and community-based services that assist Medicaid beneficiaries to live in the community and avoid institutionalization. Waiver participants must meet the minimal level of care requirements for that of a nursing facility and have a diagnosis of TBI. Indiana defines a TBI as a trauma that has occurred as a closed or open head injury by an external event that results in damage to brain tissue, with or without injury to other body organs. TBI means a sudden insult or damage to brain function, not of a degenerative or congenital nature.

The FSSA-OMPP and DA propose to renew the TBI waiver as currently implemented. There are no new waiver or service provisions being requested for this renewal request. The 2023 fiscal impact and projected 2024 waiver fiscal impact include the following:

Fiscal Impact (in millions):

Federal Budget Impact:	SFY 2023 \$ 5.03	SFY 2024 \$ 4.85
State Budget Impact:	SFY 2023 \$ 2.27	SFY 2024 \$ 2.54
Federal Budget Impact:	FFY 2023 \$ 4.90	FFY 2024 \$ 4.89
State Budget Impact:	FFY 2023 \$ 2.39	FFY 2024 \$ 2.55

Additional budget information can be found in Appendix J of the TBI waiver renewal. The 30 day public comment period for the TBI waiver renewal will run from August 3, 2022, through September 30, 2022. The renewal is provided in the following public notice formats:

- (1) A copy is posted on the FSSA's DA Draft Policies for Public Comment webpage site at <http://www.in.gov/fssa/da/3476.htm>.
- (2) A nonelectronic notice is provided via the Indiana Register at <http://www.in.gov/legislative/iac/20170816-IR-405170355ONA.xml.html>.
- (3) Paper copies of the amendment are available upon request at local Division of Family Resources offices as well as local Area Agency on Aging offices.

Comments may be emailed to DAComments@fssa.in.gov or mailed to the address below:

FSSA–Division of Aging
RE: TBI Waiver Renewal Public Comment
402 West Washington Street, Room W454
P.O. Box 7083
Indianapolis, IN 46207

The TBI waiver renewal will be available for review and public comment on the DA Draft Policies for Public Comment webpage (<http://www.in.gov/fssa/da/3476.htm>). Hard copies of the proposed renewal are available upon request at the address contained herein. Additionally, copies of the proposed renewal are available at local Division of Family Resources offices as well as local Area Agencies on Aging offices.

Daniel Rusyniak, MD
Secretary
Office of the Secretary of Family and Social Services

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