

March 11, 2025

Senator John Hoffman, Chair
Senator Jim Abeler, Minority Leader
Members of the Senate Human Services Committee
2111 Minnesota State Senate Building
Saint Paul, MN 55155

****RE: Evidence Supporting the Need for Legislative Oversight of Waiver Reimagine (SF 2215)****

Dear Chair Hoffman, Lead Abeler, and Members of the Senate Human Services Committee:

I am submitting this evidence dossier for the official record in support of Senate File 2215, which establishes a Legislative Task Force on Waiver Reimagine and provides critical oversight of fundamental changes to Minnesota's disability waiver system.

CDCS Unbundling Project Components of Waiver Reimagine – Evidence Dossier

1. Executive Summary

The Consumer Directed Community Supports (CDCS) unbundling project is a major policy change initiated by the Minnesota Department of Human Services (DHS). Initially, DHS linked this project directly to Waiver Reimagine, but later removed references to that connection.

This evidence dossier demonstrates:

- How CDCS unbundling was initially introduced as part of the Waiver Reimagine initiative.
- How DHS removed references linking CDCS unbundling to Waiver Reimagine in later documents.
- Evidence that DHS is engaging in obfuscation and non-committal language to prevent transparency.
- Wayback Machine DHS website archive comparisons proving that references to Waiver Reimagine were removed from DHS communications.

This document compiles direct statements, archived web evidence, and screenshots proving that DHS originally presented CDCS unbundling as a phase of Waiver Reimagine, only to later delete that information and claim no connection exists.

The pattern demonstrated in this evidence dossier is precisely why SF 2215 is necessary. Without the Legislative Task Force and required transparency, fundamental changes to disability services will continue to be implemented without proper oversight, harming thousands of Minnesotans with disabilities and putting the state at further legal risk for Olmstead violations.

I respectfully urge your support for SF 2215.

Sincerely,

Grace Howard
Howardg393@gmail.com

Enclosure: CDCS Unbundling Components of Waiver Reimagine Evidence Dossier

1. Executive Summary

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2. Timeline of Key Events

Date	Event	Evidence Source
2019–2021	Waiver Reimagine Phase II planning begins. CDCS unbundling is proposed as part of system modernization.	Legislative directive (2019), DHS Waiver Reimagine overview.
Spring 2022	DHS formally introduces CDCS unbundling as part of Waiver Reimagine. The timeline	DHS Waiver Reimagine documents, archived CDCS updates.

states unbundling will be implemented in phases.

June 2022 – 2023	CMS approval process for Minnesota’s Medicaid waiver changes.	DHS communications (early CDCS newsletters).
Nov 5, 2024	DHS publicly announces CDCS unbundling rollout starting Feb 1, 2025. At this time, the policy is still linked to Waiver Reimagine.	DHS bulletin and county communications.
Dec 10, 2024	DHS releases an e-list bulletin announcing the rolling implementation of CDCS unbundling, still mentioning its broader purpose.	DHS email archives, county newsletters.
Feb 1, 2025	CDCS unbundling implementation begins. Plans will be transitioned at each participant’s next assessment. At this stage, DHS begins quietly removing references to Waiver Reimagine from public guidance.	New CDCS manual and policy documents, changes in DHS website.

March 2025


DHS deletes all references connecting CDCS unbundling to Waiver Reimagine. The CDCS manual no longer mentions that unbundling was part of the waiver transition.

Wayback Machine archive evidence proving the removal.

3. Key Evidence and Findings

A. Direct Statements from DHS Connecting CDCS Unbundling to Waiver Reimagine

DHS communications originally stated that unbundling was a planned step within Waiver Reimagine:

 Archived DHS E-list Announcement (Dec 10, 2024):

“As part of the continued modernization of waiver services under Waiver Reimagine, the department will implement the CDCS unbundling project to clarify categories and align services with federal expectations.”

 DHS Public Bulletin (Nov 5, 2024):

“The CDCS unbundling project is part of our long-term strategy to ensure service flexibility under the Waiver Reimagine initiative.”

These statements prove that DHS originally acknowledged the direct connection between CDCS unbundling and Waiver Reimagine.

B. DHS Removed References to This Connection in 2025

Later DHS communications delete references to Waiver Reimagine, instead framing unbundling as an independent project with no connection to previous waiver reforms.

 Current DHS Manual (March 2025, Updated Page):

“CDCS unbundling is an effort to improve service clarity. This change was made to better categorize spending under Minnesota’s existing CDCS framework.”

The comparison below (Wayback Machine evidence) shows that references to Waiver Reimagine were removed.

Timeline Links for CDCS Unbundling Evidence Dossier

2019-2021: Waiver Reimagine Phase II Planning

- Legislative directive (2019):

<https://www.revisor.mn.gov/laws/2019/1/Session+Law/Chapter/9/>

- DHS Waiver Reimagine overview:

<https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/long-term-services-and-supports/waiver-reimagine/>

- DHS-7841B-ENG (Jan 2021):

<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7841B-ENG> (This is the legislative report in your documents)

Spring 2022: DHS Formally Introduces CDCS Unbundling

- Archived DHS Waiver Reimagine page (Spring 2022):

https://web.archive.org/web/20220501000000*/https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/long-term-services-and-supports/waiver-reimagine/

- DHS Bulletin #22-56-01 (Check MN DHS Bulletins archive)

June 2022 - 2023: CMS Approval Process

- Minnesota 1915(c) Waiver Application:

<https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/Waiver-Descript-Factsheet/MN>

- DHS Provider Update Communications:

<https://mn.gov/dhs/partners-and-providers/news/>

Nov 5, 2024: DHS Public Announcement of CDCS Unbundling

- DHS Bulletin announcing implementation:

<https://mn.gov/dhs/partners-and-providers/policies-procedures/bulletins-and-action-requests/> (Search for bulletin dated Nov 5, 2024)

- County communication:

<https://mn.gov/dhs/partners-and-providers/policies-procedures/adult-services/county-communications/>

Dec 10, 2024: DHS E-list Bulletin

- DHS E-list archive:

<https://public.govdelivery.com/accounts/MNDHS/subscriber/new> (Search for communications dated Dec 10, 2024)

- Wayback Machine capture of DHS E-list:

https://web.archive.org/web/*/https://mn.gov/dhs/general-public/publications-forms-resources/email-subscriptions/

Feb 1, 2025: CDCS Unbundling Implementation

- New CDCS Manual:

https://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_002412

- Policy Implementation Guidance:

<https://mn.gov/dhs/partners-and-providers/policies-procedures/>

March 2025: DHS Deletes References

- Current DHS page (March 2025):

<https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/long-term-services-and-supports/cdcs-unbundling/>

- Wayback Machine comparison (showing deleted content):

<https://web.archive.org/web/diff/20240201000000/20250301000000/https://mn.gov/dhs/partners-and-providers/news-initiatives-reports-workgroups/long-term-services-and-supports/cdcs-unbundling/>

11:41



moving through the legislature. It is an effort to help with the workforce shortage. It proposes lifting the ceiling of 40 hours based on county approval etc.

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COMING SOON...

Unbundling of CDCS Services:

The CDCS service categories will be changing, in preparation for Waiver Reimagine. CDCS will change from having 4 categories, to having the following 8 categories: (We expect that a NEW CDCS plan will be created to reflect these changes)

- FMS services---Support Planning---Environmental Mods/Home Mods---Environmental Mods/Vehicle mods---Individual Directed Goods and Services---Personal Assistance---Treatment and Training---Community Integration and Support

Transition begins June 2022 or upon federal approval and DHS system updates (or 180 days following fed approval).

Must transition at renewal and all transitioned by December 2023. (Subject to change)

DHS will notify all participants of this change and guidance to lead agencies on how to make these changes.

Minimum wage increase: Effective July 1, 2022, minimum wage will increase again to \$15.25.

EVV Update: Electronic Visit Verification (EVV) language was signed into federal legislation in December 2016. The federal government will soon require FMS providers to use electronic visit verification systems to document that people are receiving the services that are billed to the state. This means that staff will need to use this system to track/document:

- Type of service performed
- Who received the service
- Date of service
- Location of service delivery
- Who provided the service
- When the service begins and ends.

DHS is talking about having FMS providers engaged in the system by June 30th. (Engaging does not mean starting).

The FMS agencies must be connected to the DHS system and using it in some way. Most FMS have their own system.

The FMS will notify families as soon as they have information on which employees are affected and how it will affect them. [DHS website](#).

Waiver Reimagine and CDCS:

In short, Under Waiver Reimagine, self-direction options will expand. **While CDCS in name will no longer exist, all people will have the option to self-direct all, some or none of their services.** People will not feel they have to choose between "traditional" and self-directed services. A person's budget will be based on their needs and not on how they choose to receive their services. Once a person is assigned to a support range (budget), then they will get to choose

UPDATED RESOURCES:

Ramsey County CDCS Policy Guidelines have been updated! Please click [HERE](#) to read through the updated document. Some of the more major changes include:

- **Community Participation:** If a CDCS participant wishes to attend a community class/activity that is *not adaptive and available to the general public*, CDCS cannot cover the cost of the class/activity. The class itself is not “related to the participant’s disability” and therefore would not be covered. The benefits of this type of class/activity, would be the same for anyone, regardless of ability.

Includes, but not limited to:

- Community education classes available to general public
- Sports, dance classes, martial arts, etc. that are NOT adaptive
- Swim lessons that are not adaptive

CDCS can cover services to support a person to attend a non-adaptive class/activity by transporting them to the class; accompanying them to the class; remaining with them during the class to assist them in participating that may be needed due to their disability.

- **Monitoring technology equipment:** Please see the policy guidelines for information needed in the CSP as well as consent forms that might be needed, when the following are requested in a CDCS plan:
 - Audio listening devices
 - Cameras and video equipment (e.g., baby video monitors)
 - Mobile, on-person equipment (e.g., body sensors, GPS)
 - Sensors not on the person (e.g., motion sensors, door and window alarms).
(This includes GPS devices, door/window alarms, baby monitors, etc.)
- **Customary amounts:** CDCS policy states that we need to make sure services and items are cost effective. You will find that we updated the guidelines to increase some of the “customary amounts” for certain services, after researching what common services/supports cost. Please remember, that these are not “hard limits” but rather guidelines to ensure cost effectiveness. Requests over this amount must be justified in the plan.

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Notes of the CDCS Lead Agency FMS Support Planner Mee...



Done

AGENDA for CDCS Joint FMS, LA, SP Monthly Meeting

Date: October 7, 2024 @ 10:00 a.m.

Purpose/ Ground Rules: The focus of this group is to review, discuss, and problem solve broader CDCS related policies. A goal of the group is to be more consistent across the state but understands individual agencies still have the right to develop their own practices. This group is **not** for specific case consultation. Feel free to write questions in the chat feature. If you would like to speak, raise your hand, and please identify yourself, role, and where you are from when you are speaking. Be respectful.

Unbundling – Standing Item DHS, at the direction of the Centers for Medicare and Medicaid Services-CMS(federal agency) has been working on a “CDCS Unbundling Project.” It has already been approved by CMS but not launched yet. This project will split up 2 of the current CDCS categories (Environmental Modifications and Provisions and Self Direction Supports) AND add 2 new categories (Individual Directed Goods and Services & Community Integration and support for a total of 8 Categories). According to DHS, the expenses that have been allowed or not allowed should not significantly change, but rather which category to put them in is changing.

CDCS Policy Pages are being updated and a new CDCS Plan is currently in the final stages of development. DHS will let us know when this transition will begin through an E-list announcement. The announcement will include published policy pages, new forms, online learning modules, and more specific timelines. The policy pages will also include more clarification and definitions in their respective sections. The only timeline DHS has given us is “soon.” **Could be tomorrow!**

- The powerpoint presentation, Q&A, and presentation is now available. [DSD Training Handouts Archive \(state.mn.us\)](#) (Miscellaneous)
- DHS will attend one of our upcoming meetings after the unbundling announcement is published.
- UPDATE? How are the FMS agencies doing with all the IT rules and changing systems. Update from FMS group re: