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**AMERICAN RESCUE PLAN ACT SUMMARY**

**Signed into law March 11, 2021**

**Section 9817 of ARPA**

**10% FMAP Increase for HCBS**

[**https://www.hhs.gov/about/news/2021/05/13/cms-issues-guidance-american-rescue-plan-funding-medicaid-home-and-community-based-services.html**](https://www.hhs.gov/about/news/2021/05/13/cms-issues-guidance-american-rescue-plan-funding-medicaid-home-and-community-based-services.html)

* Intent of Funding
  + Implement or supplement the implementation of activities to enhance, expand, or strengthen Home and Community Based Services
  + Must Supplement, Not Supplant existing state funds spent
  + Strengthen HCBS in response to PHE
  + Increase access to HCBS for Medicaid beneficiaries
  + Adequately protect the HCBS workforce
  + Safeguard financial stability for HCBS providers
  + Accelerate LTSS reform
* Increased FMAP cannot exceed 95%
* States cannot impose stricter eligibility standards
* Preserve covered HCBS services in effect as of 4/1/2021
* Maintain provider payments at a rate NO LESS than those in place as of April 1, 2021
* Appendix C and D are EXAMPLES of programs that can be implemented
* Rate Increases for direct care workers (Page 19-Appendix C and D)
* PPE (Page 19 Appendix C and D)
* Expanding Provider Capacity (Page 23-Appendix C and D)-Self Directed programs
* Telehealth and Technology (Page 23-Appendix C and D)
* Providing Access to Additional Equipment/Devices