

Note: This eList announcement replaces the following eList announcements:

- [Dec. 23, 2025, eList announcement](#).
- [Jan. 6, 2026, eList announcement](#).

DSD eList announcement

Date: Jan. 23, 2026

To: Lead agencies, caseworkers and other interested parties

From: DHS Disability Services Division

Purpose: To provide updates and clarify the implementation timelines for disability waiver amendments authorized by the 2025 Minnesota Legislature and currently under review by the Centers for Medicare & Medicaid Services (CMS)

Contact: [DSD Contact Form](#)

Updated: Disability waiver amendment approval and implementation timelines

DHS is providing updates and clarifying the implementation timelines for amendments currently under CMS review for the following waivers:

- Community Alternative Care (CAC).
- Community Access for Disability Inclusion (CADI).
- Developmental Disabilities (DD).

Note: The Brain Injury (BI) Waiver renewal also contains amendments currently under CMS review.

Clarification

DHS previously sent the following two eList announcements that included estimated timelines for CMS approval of waiver amendments and implementation of the related policy and rate changes:

- [Dec. 23, 2025, eList announcement](#).
- [Jan. 6, 2026, eList announcement](#).

We are issuing this eList to:

- Replace the Dec. 23, 2025, and Jan. 6, 2026, eList announcements.
- Clarify the federal approval process.
- Clarify dates that are not yet final.
- Provide lead agencies with guidance for rate calculation for [Disability Waiver Rate System \(DWRS\)](#) framework services while we wait for CMS approval.

DHS actions

DHS:

- Held 30-day public comment periods on the waiver amendments (refer to the [Oct. 9, 2025, eList announcement](#) and [Oct. 23, 2025, eList announcement](#)).
- Submitted the amendments to CMS for approval in December 2025.

CMS approval

As of Jan. 23, 2026, DHS has not received CMS approval for the proposed amendments. CMS has up to 90 calendar days to:

- Approve or deny the proposed amendments.
- Formally request more information, which pauses the timeline of 90 calendar days.

We are working with CMS to respond to their informal requests for additional information, which do not pause the timeline of 90 calendar days.

Implementation of waiver amendments

DHS cannot implement waiver amendments until we receive CMS approval. When we receive approval, we will send an eList announcement to share more information, including:

- Anticipated implementation timeline.
- Guidance for lead agencies and providers.
- Information about system updates to implement the changes.
- Next steps for rate calculation and authorization for DWRS framework services and family residential services (FRS) tiered rates.

Implementation is delayed because of several factors, including:

- 2025 special session.
- Changes during the amendment preparation process.
- Delayed start date for the public comment periods.
- Delayed submission to and approval from CMS.

DWRS framework services rate calculation and authorization instructions

For DWRS framework service lines with an effective date on or after Jan. 1, 2026, lead agencies must:

- Continue to use MnCHOICES to calculate rates. Because we do not have CMS approval to implement the 2026 DWRS rate frameworks, MnCHOICES will use the 2025 rate frameworks as listed on [DHS – January 2025 waiver rate-setting frameworks](#).
- Authorize services for the person’s entire waiver span in the Medicaid Management Information System (MMIS) using the rate calculated in MnCHOICES.

FRS rate calculation and authorization instructions

For FRS with an effective date on or after Jan. 1, 2026, lead agencies must:

- Continue to use MnCHOICES to calculate rates. Because we do not have CMS approval to implement the [2026 FRS tiered rates](#), MnCHOICES will use the 2025 rate frameworks as listed on [DHS – January 2025 waiver rate-setting frameworks](#).
- Authorize services for the person’s entire waiver span in MMIS using the rate calculated in MnCHOICES.

Summary of proposed changes

The changes in the CAC, CADI and DD waiver amendments and the BI Waiver renewal that resulted from 2025 legislation include:

- MnCHOICES efficiencies.
- Service and provider changes.
- Rate changes and service limitations.

MnCHOICES efficiencies include the following changes:

- Update certified assessor qualifications to align with state law.
- Add requirement for assessors to provide the person an estimate of the full timeline to complete the assessment.
- Allow hospital social workers to complete MnCHOICES assessments.
- Allow people to attest to no changes in needs or services for reassessments.

Service and provider changes include the following:

- Add swim lessons for some children as an allowable expense under consumer directed community supports (CDCS).
- Add water safety lessons as a covered service.
- Update positive support professional provider qualifications.
- Update positive support analyst provider qualifications.
- Update requirements for respite provided in unlicensed settings.

Rate changes and service limitations include the following:

- Adjust component values within rate frameworks for inflation.
- Remove FRS as a framework service.
- Add tiered rates for FRS.
- Add limitations to the number of hours providers may deliver individualized home supports (IHS) with training and IHS with family training.
- Add a process for service agreement review and DHS approval under certain circumstances.
- Update information related to inflationary adjustments.

To review a summary of the changes, refer to [fall 2025 waiver plan amendments \(PDF\)](#).

Previous eList announcements

[DSD LEAD AGENCY ARCHIVE](#) | [DSD STAKEHOLDER ARCHIVE](#)