

Proposed Amendments to the Home and Community Based Services Waiver for People with Intellectual and Developmental Disabilities

DEPARTMENT ON DISABILITY SERVICES

COMMUNITY FORUM 11/17/2014 AND 12/1/2014

Goals for Today

- Discuss proposed amendments to our HCBS IDD waiver, including changes to services, rates, provider qualification, and eligibility.
- Gather your feedback on our proposed waiver amendments.
- Share information about how you can continue to provide us your ideas and comments.

DC's Medicaid HCBS Waiver

DC's current Home and Community Based Services (HCBS) Waiver for People with intellectual and developmental disabilities (IDD) is a comprehensive waiver. It offers a wide range of services and supports to help people with IDD live a healthy, safe and productive life in the community.

DC has made changes to the HCBS IDD waiver that will affect payments for some services and how some of those services are delivered under the waiver.

Proposed amendments to waiver services & rates

New Supports

Companion Services

- Non-medical assistance and supervision provided in accordance with a person centered Plan of Care.
- May be related to the person's safety, promotion of independence, community integration, and/or retirement.
- Available during day and evening hours, based on the person's need.
- May take place in the person's home or in the community.
- Rate is \$4.59 per 15 minute unit.

Day and Vocational Supports

Day & Vocational Supports

Clarifies that day and vocational supports are delivered for no more than 40 hours per week, in combination with any other waiver day or vocational support services.

- Day Habilitation
- Supported Employment
- Employment Readiness
- Individualized Day Supports (up to 30 hours/ week)

Day Habilitation

- Day Habilitation definition clarified to require meaningful adult activities and skills acquisition that support community integration and a person's independence.
- Adds nursing oversight for medication administration, physician ordered protocols and procedures, charting, other supports as per physicians orders, staff training and maintenance of Health Management Care Plan.
- Adds a nutritionally adequate meal for people who live independently or with their families.

Day Habilitation

- Rate modified to \$6.68/ 15 minute unit:
 - Increase costs for salary and cost of fringe benefits for DSPs.
 - Increase costs for facility and utilities, including cell phones.
 - Increase to include the cost of nursing at a ratio of 1:20 at the RN rate of \$72,800/year.
 - Decrease costs for DSP hours (based on DSPs working 2080 hours/ year).
 - Rate modifier for cost of meals.

Day Habilitation – Small Group

- Adds small group day habilitation for people with high intensity needs
 - Must be provided separate and apart from any large day habilitation facility.
 - No more than 15 people/ small group.
 - Staffing ratio of 1:3.
 - Includes lunch for people who live independently or with their families (with rate modifier).
 - Rate of \$10.20 per person, per fifteen minute unit.

Individualized Day Supports

- Modify service definition to clarify that IDS includes the provision of opportunities that promote community socialization and involvement in activities, and the building and strengthening of relationships with others in the local community.
- Offer IDS in small groups (1:2) and 1:1 based on the person's assessed need, and for limited times, based on ability to match the person with an appropriate peer to participate with for small group IDS.
 - Introduce a 1:1 rate of \$9.23 per fifteen minute unit.
- Provide meals for people who live at home or with their families (with rate modifier).
- Reduce rate from \$24.44 per hour to \$21.79 per hour based on market research and to promote parity with other individualized supports.

Individualized Day Supports

- Specify that IDS may be authorized for a minimum of two and a maximum of six hours per day.
- Keep service capped at 30 hours/ week, but allow to be combined with other day/ employment supports for up to 40 hours/ week.
- Add additional orientation requirements for DSP staff in IDS.
- Eliminate requirement DSPs must have an Associates degree – but keep requirement that DSPs must have one year of experience.
- Allow family members to provide DSP services for their relative.

Supported Employment

Requires all Supported Employment providers to become Rehabilitation Services Administration providers within one year of approval of these amendments.

Additional Rate Changes

- **Employment Readiness** rate increase from \$3.80 to \$4.26/ 15 minutes, based upon increased costs in capital and indirect.
- **Employment Readiness, Supported Employment, and Group Supported Employment** rates reflect DSP wage increase by the 1.3% market basket rate for nursing homes for FY 2015.

Residential Supports

In Home Supports

Requires that the owner and operator of the provider agency have a degree in Social Services or related field and at least three years of experience working with people with IDD; or at least five years of experience working with people with IDD.

Supported Living & SL w/ Transportation

- Modifies the service definitions to create more flexibility in the application of the reimbursed staffing hours and ratios to better reflect the time each person may spend in their home during the course of the day, in accordance with his or her individualized person-centered plan.
- Adds specialized rate authority when needed to provide intensive individualized staffing to support a person due to complex behaviors that may involve a serious risk to the health safety or wellbeing of the person or others, or when required by court order.
- Allows direct skilled nursing to be provided in this setting.

Rate Changes – Living Wage

Increases in the hourly wage rates for DSPs to be in compliance with the D.C. Living Wage Act of 2006, and percentage rate increases for the House Manager, QIDPs and RNs.

- Behavioral Support Non-Professional
- Host Home
- In-Home Supports
- Residential Habilitation
- Supported Living

Rate Changes - Parity

- **Residential Habilitation** and **Supported Living** rate methodologies are modified to match the overtime, paid time-off correction implemented in the ICF/IID rate methodology implemented in FY 2014.
- **Host Home** services rate to include a vacancy factor of 93% (1.07) to promote parity with all other residential services which also have a vacancy factor.

Additional Rate Changes

- **Supported Living with Transportation and Residential Habilitation:** Add staff component to the transportation cost center equal to one DSP for 8 hours per day, 249 days per year.
- **Supported Living and Residential Habilitation:** Reduce number of hours to be reimbursed during what are commonly considered day/ vocational services in the direct service cost center.
- **Personal Care:** Increase to coincide with the State Plan rate increase to \$4.65 per 15 minutes.

Professional Services

Art Therapies

- Add ability to offer art therapies in small groups of up to four people.
 - Group rate of \$22 per person, per hour.
- Increase individual art therapy rate to \$75/ hour.
- Change name to Creative Art Therapies.

Behavioral Supports

Under current service, Behavior Support techniques and interventions are designed to:

- Decrease challenging behaviors while increasing positive alternative behaviors,
- Assist people in acquiring and maintaining the skills necessary to live independently in their communities, and
- Avoid institutional placement.

Behavioral Support Services currently provides up to 100 hours per year (plus up to 52 hours of counseling service) to assist participants who exhibit behavior that is extremely challenging and frequently complicated by medical or mental health factors.

Behavioral Supports

Proposal to modify to a more flexible tiered service based on the person's assessed needs:

- **Behavioral Support Services Tier One: Low Intensity Behavioral Support.** Up to 12 hours per year of behavioral support consultation and training for a person, his or her family, and/ or support team to provide technical assistance to address behaviors that interfere with a person's ability to achieve his or her ISP goals, but which are not dangerous, and to support skill building.
- **Behavior Support Services Tier Two: Moderate Behavioral Support.** Up to 50 hours per year (plus up to 26 hours of counseling services) for a person who exhibits challenging behavior that either impacts his or her ability to retain a baseline level of independence (i.e. loss of job, loss of natural supports, eviction/ loss of residence, or causes a higher level of supervision than would otherwise be necessary); or that interferes with the person's quality of life (i.e. desired outcomes, relationships, exposure to and opportunities for engagement in a range of community activities).
- **Behavioral Support Services Tier Three: Intensive Behavioral Supports.** Up to 100 hours per year (plus up to 52 hours of counseling service) to assist participants who exhibit behavior that is extremely challenging and frequently complicated by medical or mental health factors.

Behavioral Supports

Service Limits

	Tier 2 – Behavior Supports Up to:	Tier 3 – Intensive Behavior Supports Up to:
Development of a new BSP	5 hours	12 hours
Review and updating of existing BSP	3 hours	8 hours
Training for the person, person’s family, residential and day staff, and support team	8 hours	20 hours
On-site consultation and observation	10 hours	24 hours
Participation in behavioral review meetings or support team meetings	10 hours	20 hours
Quarterly reports and monthly data monitoring	10 hours	12 hours
Participate in psychotropic medication review meetings	4 hours	4 hours
Counseling hours	26 hours	52 hours

Note: Tier 1 is 12 hours/year to be used flexibly based on the person’s needs.

Behavioral Supports

Additional changes:

- Increase in rates to reflect the Living Wage for DSPs.
- Add clarifying language that a LGSW may only deliver services in accordance with DCMR.

Bereavement

Modify provider qualifications to ensure access to a larger group of qualified providers.

Family Training

Rate increased to reflect DSP wage increase by the 1.3% market basket rate for nursing homes for FY 2015.

Fitness

- Introduces a small group rate of \$30/ hour so a person can work out with a friend.
- Modifies provider requirements for fitness trainers to include people who have a bachelor's degree in physical education, health education, kinesiology, or exercise science; also allows recreational therapists to qualify as fitness providers.
- Decreases the rate from \$75 to \$50 per hour, based on market research.

Therapies – Rate Changes

Rate increases based on market research:

- **Behavioral Support Paraprofessional:** Increase from \$60 to \$65 per hour.
- **Nutrition:** Increase from \$55 to \$60 per hour.
- **Occupational Therapy:** Increase from \$65 to \$100 per hr.
- **Physical Therapy:** Increase from \$65 to \$100 per hour.
- **Speech Therapy:** Increase from \$65 to \$100 per hour.

General Provisions

Increase # of People Supported

Increase the number of possible waiver participants in Waiver Years 4 & 5 from 1,692 people to 1,742 people.

- At the end of FY 2014, there were approximately 1627 people being supported in the HCBS IDD waiver.
- 31 new people entered the waiver in FY 2014.

Rates

Upon approval of the waiver by CMS and publication of implementing regulations, DDS and DHCF intend to **increase all rates in subsequent years** based upon the requirements of the **Living Wage Act of 2006** and the **market basket index for nursing homes** to keep pace with inflation using appropriate Medicaid long term care supports and services indicators.

New Training Requirements

Owners and Operators of the following services must complete training in **Person Centered Thinking, Supported Decision-Making, Community Integration**, and any other topics determined by DDS and in accordance with DDS published guidance, within one year from the date the waiver amendments are approved and prior to any new waiver provider being approved to initiate services.

- Supported Living
- Supported Living with Transportation
- Host Homes
- Residential Habilitation
- In Home Supports
- Day Habilitation
- Individualized Day Supports
- Employment Readiness
- Supported Employment

Spouse in the House

Change in eligibility requirements: Use “spousal impoverishment rules” to determine eligibility for the HCBS waiver – protects a certain amount of the couples’ combined income and assets for the spouse who is not receiving supports through the HCBS waiver.

Services that would be Eliminated

- Transportation Community Access:
Transportation is available through MTM.
- Shared Living: Will be included in the Individual and Family Supports waiver that is in development.
- Neither service is currently utilized.

Questions or Comments

- Oral comments will be accepted and entered into the public record today.
- You may submit written comments to:
 - Laura L. Nuss
 - Director
 - DC Department on Disability Services
 - 1125 15th Street, NW
 - Washington, D.C. 20005
 - Or via email to dds.publiccomments@dc.gov.
- For more information:
 - Erin Leveton, Program Manager, DDS State Office of Disability Administration, (202) 730-1754
 - erin.leveton@dc.gov