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State Discussion with Children's Waiver HCBS Providers

July 2022

Purpose

- To have an open dialogue between the State and HCBS Providers to communicate issues and concerns.
- HCBS providers to have the ability to discuss barriers and be a part of the problem-solving discussion.
- The State to have the ability to share upcoming changes, guidance, information, and to obtain feedback directly from the HCBS Providers.



Agenda

- ✓ 1915(c) Waiver Renewal and Amendment
- ✓ eFMAP Updates
- ✓ HCBS Staff Qualifications and Case Review
- ✓ Authorization Reminder
- ✓ Building Capacity and Working with Stakeholders
- ✓ Feedback: supports HCBS providers need (policy/guidance, training, other requests, etc.)
- ✓ Future Meetings & Contact Information



1915(c) Waiver Renewal



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Children's Waiver Renewal- *Approved!!*

- The Children's Waiver Renewal that was submitted to CMS in December 2021, after receiving an extension, was approved on **June 29, 2022**.
- This five-year renewal for the Children's Waiver (NY.4125.R06.00) is **retroactively** effective from April 1, 2022; to March 31, 2027.
- An announcement was sent about this approval on July 13, 2022.
- Subsequent, updates are being made to the HCBS manual, HCBS policies, and forthcoming guidance

More information about the Children's Waiver Renewal can be found here:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/1915c_waiver_renewal.htm



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Children's Waiver Renewal - Updates

- Below is a summary of the updates in the approved Waiver, NYS' goal is to implement additional substantial changes in a subsequent Amendments

Service Title and Definition Revisions

- Palliative Care: Bereavement is now referred to as **Palliative Care: Counseling and Support Services**
- Adaptive and Assistive Equipment is now referred to as **Adaptive and Assistive Technology**
- Broadened C-YES Nurse qualifications
- Reduced the required years of experience for Palliative Care: Expressive Therapist
- Consolidated 'Caregiver and Family Support and Services' with 'Community Self-Advocacy Support' into a new service referred to as **'Caregiver/Family Advocacy and Support Services'**

Additions, Removals, and Updates

- Adds reference to IRAMs & clarification of reportable incidents from HHs, C-YES, and HCBS providers
- Includes temporary 25% rate adjustment consistent with approved spending plan for ARPA section 9817 to improve service capacity
- Removal of LPHA form for MF & DD populations HCBS/LOC Eligibility Determination
- Update of performance metrics to reflect actual data collection methodology
- Removal of 'Care at Home Waiver' references



Responses to Feedback

- The Department of Health is grateful for the feedback and suggestions to improve the delivery of Home and Community Based Waiver services to children in New York State.
- Feedback received in the waiver renewal process has led to the following joint accomplishments:
 - ✓ Adjusting provider qualifications for several services to address provider and workforce concerns
 - ✓ Creating additional discussion forums with providers to enhance transparency via workgroup meetings
 - ✓ Address paperwork and workload concerns, such as removal of the LPHA form from the HCBS eligibility determination for MF and DD population, to help ease provider workloads and reduce work redundancies
 - ✓ Building electronic version of the Plan of Care and updating required items, policies, and procedures
 - ✓ Building a capacity tracker to help identify and mitigate waitlist issues
 - ✓ Creating a mechanism to streamline environmental/vehicle and AT modifications of FFS enrollees
 - ✓ Developing outreach to new and current providers regarding service capacity
- Future planning for subsequent amendments to add services and adjust other identified waiver items



eFMAP Updates

eFMAP Children's Activities – Spend Plan Updates

- The American Rescue Act for the Public Emergency allows NYS to receive additional funding called “enhanced Federal Medical Assistance Percentages (eFMAP)”.
- This additional funding is to enhance services and service delivery to children and families.

Retroactive Rate Enhancements

- **FUNDING has STARTED!!!**
- 25% rate increase retro back to April 1, 2021; and continue funding until September 30, 2022.
- Retro rates for HCBS & CFTSS should have been received by now; if you have any questions, please contact bh.transition@health.ny.gov

Other Funding

- Within the budget 5.4% COLA for HCBS and CFTSS back to 4.1.22
- Working with CMS for approval and rate increase



eFMAP Children's Activities – Timeline Update

Workforce & IT Infrastructure

- Attestations and more information will be forthcoming for these activities later this summer.

The table below is an **Approximate Timeline** for IT Infrastructure and Workforce funding. *Please note this timeline has shifted since we first shared the information.* NYS DOH will continue to keep stakeholders up to date with any changes to this timeline.

Date	Action
March 31, 2022	DOH submitted Preprint to CMS
August 1, 2022	DOH sends attestations to providers for completion
August 15, 2022	Providers complete & return attestation to DOH
August 22, 2022	DOH sends letters notifying providers of award amounts
Early Fall	DOH sends payment schedule notification to MMCPs and providers & award amounts disbursed



HCBS Staff Qualifications and Case Review



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Provider Qualifications Training Tracker

- NYS DOH sent the Qualifications, Training, and Staffing Requirements Tracker to each provider agency in June 2022.
 - The due date for completion **was 7/1/2022.**
- This tracker is used to assess performance measure compliance for CMS reporting.
 - Failure to comply may result in the issuance of corrective actions.
 - Effecting your HCBS designation
- Given the importance of this tracker, we ask that agencies to complete the document and submit it to NYS DOH as soon as possible.

KidsHCBSCaseReview@health.ny.gov
(HCS SFT)
Kid's HCBS Case Review voicemail
box: (518) 474-2741

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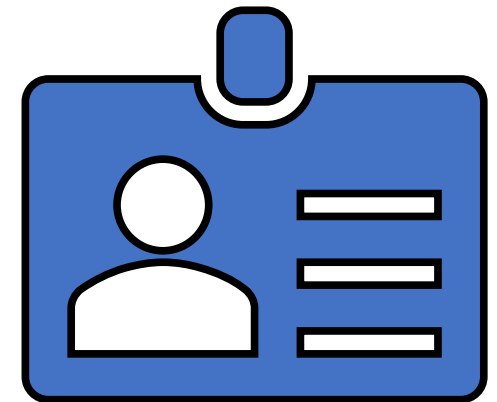
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Provider Qualifications Training Tracker - *REMINDERS*

- Please utilize **Secure File Transfer** for **all** communications regarding the Qualifications Trackers. This includes questions and submissions.
 - The Tracker sent out includes a [link](#) to a quick reference guide for Secure File Transfer.
- Any comments or additional information can be put in the “Comments Box” on the “Cover Page” tab of the tracker.
- Required Training dates should be filled out entirely for each employee. Incomplete information signals that the training hasn’t been completed.
 - CHRC date of clearance refers to the date on the clearance letter received for each employee.
- Each employee listed should have at least one HCB Service Provided associated with them.
- The “Hire Date Less than 6 Months” column should be filled out with a “Yes” response if the employee was hired less than 6 months from the date your agency received the tracker.



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HCBS Provider Case Reviews - Updates

- The Team is in the process of sending out all samples to provider agencies for which we have received points of contact in the Health Commerce System (HCS).
- The Samples will all be sent out by the end of the week.
 - When the sample is received, please review to ensure all participants received services during the waiver year April 1, 2021-March 31, 2022
- Providers are encouraged to send their required documents by the date indicated on their letter or prior to, if compiled sooner.
- Please use the document naming convention outlined in the Required Documentation list included in the welcome package, which will aid in the efficiency of reviews.
 - If any provider needs to have their welcome package resent, please reach out through the Health Commerce System (HCS) Secure File Transfer (SFT).
- Note: Because messages and packages sent through SFT expire after **14 days**, providers are encouraged to download packages once received.
- If you have any questions, please send to KidsHCBSCaseReview@health.ny.gov through SFT for the quickest response.

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Authorization Reminder



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REMINDER: HCBS Billing/Claiming – Frequency, Scope, & Duration

- As of 10/1/19, HCBS providers were required to utilize the [Children's HCBS Authorization and Care Manager Notification Form](#) to notify MMCPs of a child/youth's enrollment in HCBS; this requirement was not waived during the PHE.
- This form must contain f/s/d based on the HCBS provider's assessment; upon submission, MMCPs will review the information and issue a determination and notify the HCBS provider and participant/family of the outcome.
- HCBS providers **MUST** communicate with HHCMs/C-YES for f/s/d for the Plan of Care to be updated
- In April of 2022, reminder guidance was sent to MMCPs and HCBS providers outlining this requirement [Children's HCBS Billing and Claiming Required Processes](#) – April 4, 2022 (PDF) 
- Providers should reach out to the State via the BH BML at bh.transition@health.ny.gov to report instances where MMCPs have indicated that this form is not needed/wanted; HCBS providers are still required to communicate with HHCMs/C-YES and MMCPs regardless of form submission.



HCBS Billing/Claiming – Medical Necessity

- Service utilization in excess of the unit (i.e., annual, daily, dollar amount) limits as outlined in the HCBS Manual and the Children’s HCBS Authorization and Care Manager Notification Form **must** be based on medical necessity.
- Although, during the PHE the MMCPs cannot conduct “*Utilization Management*”, the MMCP can deny claims with excessive services
- Documentation of the medical necessity for extended durations should be submitted to the MMCP as the payer of services.
- Additionally, all medical necessity documentation must be kept on file in the child/youth’s record.



HCBS Waitlist and Service Evaluation

- There are a number of providers that have children/youth being served with several services and a large amount of units (i.e., annual, daily, dollar amount)
- There are a number HCBS eligible and enrolled children/youth who are on waitlist for all, or most services needed/requested.
- HCBS providers are encouraged to evaluate services being delivered currently served children/youth and review the needs of children/youth on waitlist to determine adjustments to serve children/youth waitlisted.
- HCBS providers and HHCMs/C-YES should be regularly communicating – at minimum bi-monthly



Building Capacity and Working with Stakeholders



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Provider Feedback: Regional Meetings

NYS DOH is working with RPCs who already have regional forums and stakeholder collaboration

- The State will be hosting meetings by region to discuss
 - Service Delivery
 - Capacity Building
 - Waitlist Needs
 - Waiver Enhancements for future Amendments
- All providers, Health Homes, and Managed Care Organizations will be invited to attend.
- More information about these sessions including dates, times, and agenda is forthcoming.



Building Palliative Care Providers

- NYS DOH has drafted a plan for building provider capacity regarding Palliative Care providers
 - Outreach to current HCBS providers and other community providers / organization
 - Changes to qualifications to encourage a variety of provider types will be part of an upcoming Waiver Amendment

Webinar for HCBS Providers will be held on Wednesday, July 27, 2022; at 1:00 pm to provide an update on Palliative Care Services and discuss ways to increase provider capacity statewide.

Please register for **Palliative Care Services: Addressing the Gap in Care** on July 27, 2022; 1:00 PM EDT at:

<https://attendee.gotowebinar.com/register/2338358191431274252>



HCBS Provider Feedback



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HCBS Provider Feedback

- Please provide feedback on the supports that are needed (policy/guidance, training, other requests, etc.).
- Feedback can be provided verbally or in the chat.
- If other ideas and feedback come to your mind after this meeting, please reach out to us at the BH.Transition@health.ny.gov mailbox or 518.473.5569



Future Meetings & Contact Information



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Future Meetings & Agenda

- Next Scheduled Monthly Meetings:
 - August 17, 2022, from 1-2:30 pm
 - September 21, 2022, from 1 – 2:30 pm
 - October 19, 2022, from 1- 2:30 pm

Future HCBS Monthly Meetings
may be impacted by Regional
Meetings once scheduled

- Register for all these monthly meetings here:
<https://attendee.gotowebinar.com/rt/6285227798939622667>



- NYS would like to discuss topics of interest to the HCBS providers and also hear suggestions and ideas for improvement.
- Please submit your agenda requests, suggestions, or questions to BH.Transition@health.ny.gov.



All Children's Waiver HCBS questions and concerns, should be directed to the NYS Department of Health at BH.Transition@health.ny.gov mailbox or 518.473.5569

Questions regarding the HCBS Settings Final Rule can be directed to ChildrensWaiverHCBSFinalRule@health.ny.gov

HCBS Case Review and Qualification Tracker

KidsHCBSCaseReview@health.ny.gov (HCS SFT)

Kid's HCBS Case Review voicemail box: (518) 474-2741



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