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State Discussion with Children's Waiver HCBS Providers

August 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
- ✓ Amendment Update
- ✓ eFMAP Updates
- ✓ HCBS Annual Audit and Case Review
- ✓ Building Provider Capacity
- ✓ 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

- Below is a summary of the updates in the approved Waiver.

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

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



Policy Changes as a Result of the Waiver Renewal

POLICY NAME	UPDATE
HCBS Provider Reportable Incidents Policies & Procedures	Add IRAMS process & Update Incident Definition
HH Monitoring: Reportable Incidents Polices And Procedures	Add IRAMS process & Update Incident Definition
Complaint and Grievance Policy For HHSC	Add IRAMS process & Update Incident Definition
Complain and Grievance Policy For HCBS Providers	Add IRAMS process & Update Incident Definition
LPHA Forms	Remove Med Frag & DD/MF from forms and update SED LPHA Form
Transfer Referral For C-YES, HHs, and CMA Policy	Remove LPHA form reference for Med Frag & DD/MF
HH Conflict Free Case Management Policy	Remove LPHA form reference for Med Frag & DD/MF
Enrollment Policy	Remove LPHA form reference for Med Frag & DD/MF
Palliative Care-Bereavement Services and Health Home Care Management Policy	Palliative Care: Bereavement is now Palliative Care: Counseling and Support Services



Manual Changes as a Result of the Waiver Renewal

MANUAL CHANGE	UPDATE
Consolidated references to “Community Family Support and Services” and “Community Advocacy Training and Supports” into new combined service “Caregiver/Family Advocacy and Support Services.”	<ul style="list-style-type: none"> • Updated service name • Updated service definition • Changed daily limit from 3 hrs/day to 6 hrs/day • Updated staff qualifications • Updated rate/procedure codes and modifiers (Billing Manual)
Renamed “Palliative Care Bereavement Service” to “Palliative Care Counseling and Support Services.”	<ul style="list-style-type: none"> • Updated service name • Updated definition • Updated language for consistency (i.e.; chronic condition, terminal illness, life threatening illness)
Updated service name from “Adaptive and Assistive Equipment” to “Adaptive and Assistive Technology	<ul style="list-style-type: none"> • Updated naming convention and added references to technology as appropriate



LPHA Guidance

- Per the July 13, 2022 Children's Waiver Renewal Announcement, the LPHA Attestation form (DOH 5275) is **no longer required** for the Target Populations of Medically Fragile (MF) or Developmental Disability who are Medically Fragile (DD/MF).
- The LPHA form for Target Population of Serious Emotional Disturbance (SED) is still required, outside of COVID-19 exceptions, during initial and annual re-assessment for HCBS LOC Eligibility Determination.
- Guidance has been published on how to proceed with tracking since UAS is not able to track the LPHA changes.
- Please refer all questions to BH.Transition@health.ny.gov



1915(c) Waiver Amendment Planning



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Children's Waiver Amendment

- Below is a summary of the planned updates for an upcoming Amendment. The State's goal is to address stakeholder feedback and suggestions to address children/youth identified needs and access to services.

New Service or Adjustment to Service

- Lead Health Homes to manage oversight for Vehicle/Environmental Modifications for FFS members instead of the Local Department of Social Services
- Add **Goods and Services** – limited funding dollars for HCBS members to meet goals within their POC
- Add **Transition Care Coordination** (HCBS provider) to assist institutional children/youth to home
 - Transitional Service** – limited funding dollars to be utilized to address barriers for the child/youth to return to home/community
- Rural Rate development
- Add to **Respite Services** a medical component with an additional rate tier with nurse qualifications and medical necessity criteria

Additions, Removals, and Updates

- Palliative Care Suit of Services –
 - Change required qualification to remove the years of experience with MF population
 - Remove life threatening by age 21
 - Updated language for consistency (i.e.; chronic condition, terminal illness, life threatening illness) with definition
- Group Respite change needed due to lack of consistency with other group rates
- Planned Respite limit needed to meet Final Rule
- Language for rates to change without an amendment
- SPOAs to be able to conduct HCBS eligibility determination for children/youth coming out of Hospitalization



Combining Vocational and Employment services

Received this recommendation from providers and stakeholders

- Need more information regarding why and how this would work
- Purpose and goal for the combination

NYS is willing to consider but would like to hear more from providers

➤ Additional services and suggestions are welcomed

Please send all ideas and thoughts to BH.Transition@health.ny.gov



eFMAP Updates



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eFMAP Children's Activities – Timeline Update

Workforce and IT Infrastructure

- Attestations and further information will be forthcoming for these activities.

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
September 1, 2022	DOH to send attestations to providers for completion
September 16, 2022	Providers complete & return attestation to DOH
September 23, 2022	DOH sends letters notifying providers of award amounts
Fall	DOH sends payment schedule notification to MMCPs and providers & award amounts disbursed



HCBS Annual Audit 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, if they still have not done so. Also asking providers to be responsive to NYS DOH outreach for clarification.

KidsHCBSCaseReview@health.ny.gov
(HCS SFT)

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



HCBS Provider Case Reviews - Updates

- The Team has sent out all samples to provider agencies for which we have received points of contact in the Health Commerce System (HCS).
 - When the sample is received, please review to ensure all participants received services during the waiver year April 1, 2021-March 31, 2022; and respond to NYS DOH
 - Because messages and packages sent through SFT expire after **14 days**, providers are encouraged to download packages once received.
- Several agencies have been recently identified for review due to recent claiming pull
- Providers are encouraged to send their required documents by the date indicated on their letter or prior to, if compiled sooner.
- After the case review there will be a Summary of Findings for each provider along with a Correction Plan, if appropriate.
- NYS DOH will schedule a meeting with providers to review the entire audit and case review and highlight trends and next steps
- If you have any questions, please send to KidsHCBSCaseReview@health.ny.gov through SFT for the quickest response.



Building Provider Capacity



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HCBS Waitlist and Service Evaluation

- While some providers are providing multiple services to children/youth with, at times, large units (i.e., annual, day, dollar amounts), there are a number of HCBS-eligible and enrolled children/youth who are on a waitlist for all, or most, services needed/requested.
- HCBS providers are encouraged to evaluate the services currently being delivered to children/youth and review the needs of children/youth who are placed on a waitlist to determine whether any adjustments are necessary to serve the waitlisted children/youth.
- HCBS providers and HH/C-YES should be regularly communicating regarding the needs of currently served children/youth and those on a waitlist, at *minimum* bi-monthly.



Provider Feedback: Regional Meetings

NYS DOH is working with RPCs who already hold 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 Plans will be invited to attend.
- More information about these sessions including dates, times, and agenda is forthcoming.

Looking for feedback regarding these meetings being webex or in-person meetings. If in-person, can providers assist with securing a location?



Palliative Care

- NYSDOH has drafted a plan for building provider capacity regarding Palliative Care providers.
 - Outreach to current HCBS providers and other community providers/organizations
 - Changes to qualifications to encourage a variety of provider types will be part of an upcoming Waiver Amendment
- Currently there are only 4 designated providers of HCBS Palliative Care services, serving across 7 sites, with 143 children/youth receiving at least one service.
 - Currently designated providers are located in NYC, Bronx, Nyack, New Hyde Park, and Buffalo
- NYSDOH is leading a palliative care workgroup to build provider capacity, address and remove as many barriers as possible, and make any needed changes to ensure that the process to designation is seamless as possible.
 - NYSDOH will reach out to providers interested in joining this workgroup, with the workgroup start date targeted for mid-September
 - Any providers interested in joining this group should reach out to bh.transition@health.ny.gov



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:

- September 21st , 2022, from 1 – 2:30pm
- October 19th, 2022, from 1- 2:30pm

- **Register for all these monthly meetings here:**

<https://attendee.gotowebinar.com/rt/6285227798939622667>



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

- 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



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