

**Developmental Disabilities Program Home and Community Based Services
Discontinuation of 1037 Supports for Community Working and Living Waiver
0208 Comprehensive Waiver HCBS Transition Plan
0208 Comprehensive Waiver Amendment**

Summary of Comments

Montana Department of Public Health and Human Services Developmental Disabilities Program (DDP) of the Developmental Services Division (DSD) received four comments, all during the public meeting which was held on August 26, 2015, in Helena, Montana.

1037 Discontinuation Comments:

No comments were received.

0208 Comprehensive Waiver HCBS Transition Plan Comments:

- **Comment:** There was a date of August 14th of this year that something was due. What was due on that date?
- **Response:** August 14, 2015 was the due date of the provider self-assessment.

0208 Comprehensive Waiver Amendment Comments:

- **Comment:** In regards to the additional waiver slots, legislative intent, as the sponsor of the amendment, is to avoid to what happened in the last interim and provide flexibility so it is not tied to MDC¹, not restricted to only people on the waiting list and could be used towards a new waiver for MDC people.
- **Response:** The Department appreciates the additional funding granted by the legislature for waiver services. The Department intends to use the funding to increase the capacity in the 0208 Comprehensive Waiver, thereby reducing the number of individuals waiting for services.
- **Comment:** Very disappointed that the waiver amendment does not allow for flexibility in rates to provide the best services for people coming out of MDC. Disappointed that there is not a new rates structure included in this amendment.
- **Response:** The existing rate structure was designed over a period of several years with significant input from providers. The Department is researching whether there are other rate structures that might better meet the needs of people being discharged from MDC while maintaining budget neutrality. We are not ready, at this point in time, to propose a new model that we feel will meet both goals.
- **Comment:** Feels that the changes to Behavior Support Services should be included in the waiver. Wants to know why they are not included in the waiver and why CMS does not have oversight over the limit being instituted.
- **Response:** The 0208 Comprehensive Waiver has Behavioral Support Services as a waiver service. There is no limit or cap on the service per hour. In order to ensure consistency in the approval of this service, the DDP developed a checklist to utilize in the review of Behavioral Support Services that exceed 25 hours per year in the member's cost plan. The checklist mirrors the definition of the waiver service and the Positive Behavior Supports Administrative Rule.

¹ MDC is the Montana Developmental Center, administered by the Department's DSD as the State's only residential facility for individuals with developmental disabilities that provides 24-hour care for those with the most severe behaviors or severe self help deficits.