

The Developmental Disabilities Program

0208 Comprehensive Waiver Renewal

What is the DD 0208 Comprehensive Waiver?

The Developmental Disabilities Program (DDP) offers services through what is called a Medicaid Home and Community-Based Services (HCBS) waiver.

The DDP HCBS waiver is also called the 0208 or Comprehensive waiver.

This waiver pays for support services to help people with developmental disabilities who live in their homes and communities, instead of an institution.

What is a Waiver Renewal?

Waiver services are partly paid through federal funding and partly by state funding.

Every five years, our plan for waiver services must be approved (or renewed) by the federal government [the Center for Medicare and Medicaid Services (CMS)].

What is a Waiver Renewal?

States may ask for changes in the details of their waiver program sooner than 5 years. If a state chooses to do this, an additional permission request called a waiver amendment is needed.

The DDP's current waiver is expiring June 30, 2023. DDP is working on the renewal and asking for some changes.

What is included in the DD Waiver Renewal?

- DDP is asking for more emergency waiver slots. Emergency waiver slots are used to move someone ahead on the waitlist when they are experiencing an emergency and if all other service options have been reviewed and do not meet the person's health and safety needs.

What is included in the DD Waiver Renewal?

- Adding retainer payments for some services. Retainer payments allow a provider to bill for some days if a person is absent from the assisted living facility, group home or day program. This helps with provider staffing. DDP already has retainer payments for group home and day program and is asking for Assisted Living Facility and Retirement Program retainer days.

What is included in the DD Waiver Renewal?

- DDP is asking for the addition of behavioral services that can increase the quality of life and decrease unsafe behaviors. This could be accomplished by teaching new skills. The waiver already pays for some behavioral services, but this change would allow for a more highly trained, highly paid behavioral technician to work directly with the person on their treatment plan goals. The technician is supervised by a Board-Certified Behavior Analyst (BCBA).

What is included in the DD Waiver Renewal?

- Remote Monitoring is the use of technology to increase a person's independence while maintaining safety. Remote Monitoring services can include live video feed, motion-sensing systems, and web-based monitoring systems. Remote Monitoring must be monitored by staff in real time. DDP is making changes to the Remote Monitoring service such as:
 - Stating that privacy is monitored by case managers and Department staff during visits in order to assess that privacy is being respected
 - Adding HIPAA language
 - Adding staff training requirements
 - Stating that Remote Monitoring won't be billed while other services are being provided (duplication of services)

What is included in the DD Waiver Renewal?

- Adult foster homes are single family residences that offer care in a homelike setting. Adult foster homes in Montana are inspected and licensed.
- DDP is making changes to Adult Foster service such as:
 - Adding the ability for a DDP provider to subcontract this service
 - Removing language that creates unnecessary limits on the service

What is included in the DD Waiver Renewal?

- The DD Waiver already allows legal guardians and relatives to be paid to provide many services.
- DDP is now asking permission for parents (and spouses) to receive pay in some cases for providing DDP services for their children if it is above and beyond care that parents normally give (Extraordinary Care Needs) for the following services:
 - Residential Habilitation, Companion Services, Personal Care, Personal Supports, Supported Employment Services: Follow Along Support, Co-Worker Support, Individual Employment Support, and Small Group Employment.

What is included in the DD Waiver Renewal?

- Changes to Incident Management Policy, such as notification timelines, incident categories and clarification around restricted procedures such as seclusion.
- Changes to Plan of Care Policy, such as changes to the terms used describe a person's goals.

What is included in the DD Waiver Renewal?

- Language clean up, such as updating new division names (Offices of Inspector General, Behavioral Health and Developmental Disabilities Division).
- Updates to Administrative Rule References.
- Updates to some Performance Measures.
- Updates to estimates of number of users, length of stay and cost per units.

What is the timeline for the waiver renewal?

- Public Comment Period begins 1/18/2023 and ends 2/17/2023.
- DDP will review public comment and respond, making changes to the waiver application as warranted based on comments received.
- Early March, DDP will post public comments and responses and the revised draft waiver renewal.
- Early March, DDP will also submit the waiver request to CMS (federal government).
- CMS will review, ask follow up questions as needed and may require additional changes prior to approval.

How do I make Public Comment?

- The public is invited to give feedback on the renewal request during the public comment period (1/18/2023 and ends 2/17/2023).
- You can make public comment now, during this virtual public meeting.
- Your questions and comments can be submitted during the public comment period, from January 18, 2023 through February 17, 2023, addressed to: Mary Eve Kulawik, Medicaid State Plan Amendment and Waiver Coordinator, at **(406) 444-2584** or **mkulawik@mt.gov**; or **Director's Office, PO Box 4210, Helena, MT 59604-4210.**

For a complete list of changes included in the DD Waiver Renewal please see:

<https://dphhs.mt.gov/dsd/developmentaldisabilities/ddp/medicaidwaivers>.

Thank you for your participation in today's meeting!