TRIUMPHS AND CHALLENGES: A STATE PANEL DISCUSSING HCBS FINAL RULE
AGENDA

• Meet the Panel
• State of the States
• Lessons Learned
• What’s next?
MEET THE PANEL

Kelly Eifert
SC Department of Health & Human Services
Project Manager
kelly.eifert@scdhhs.gov
803-898-3075

Hope Roberts
Ohio Medicaid
HCBS Policy Administrator
Hope.Roberts@medicaid.ohio.gov
614-752-5394

Cathy Robinson
Indiana DDRS
Director, Bureau of Developmental Disabilities Services
Cathy.Robinson@fssa.in.gov
317-234-4736

Jane-ellen Weidanz
Oregon DHS APD
Long Term Services and Supports Administrator
Jane-ellen.weidanz@state.or.us
503-602-8399

LEAD BY:

Cathy Anderson
Public Consulting Group
Senior Advisor
canderson@pcgus.com
202.836.4807
STATE OF THE STATES
Current Activities: South Carolina

- Initial Approval November 3, 2016
- Milestones getting updated via website
- Settings Site Visits ongoing
  - Adult Day Health Care centers: 80 total, 42 visits complete
  - Dept. of Disabilities & Special Needs network:
    - Contract with PCG to conduct site visits, 1140 total
    - Non-residential settings: 86
    - Residential settings: 1054
- HCBS Deadline Extension
  - ADHC providers will be expected to meet original 2019 deadline
  - Residential settings will be expected to meet original 2019 deadline
    - Settings with geographic concerns will be given until 2022
  - Non-residential settings:
    - Compliance Action Plan in place by end of 2018
    - Use extra time to move forward to compliance
Current Activities: Ohio

• Initial Approval issued in June 2016
• Heightened Scrutiny
  • Administrative Review, provider self-assessment, on-site assessments.
  • Provider remediation plans validated through on-site assessment.
  • Consistent Template for Evidence Packages across delivery systems.
  • First set of evidences packages were posted for public comment in July 2017.
• Stakeholder involvement
  • Contributed to the development of the assessment tools and rules.
  • Incorporated statewide transition plan work into existing stakeholder groups.
• HCBS Deadline Extension
  • No time frames were revised.
  • No additional detail was added to the STP.
Current Activities: Indiana

• Indiana’s STP is currently under review for final approval.
  • Site assessment activities are still taking place
    • Onsite visits currently for non-residential settings
  • No settings determinations have been formally issued
  • Challenges with the state’s current 1915c waivers and structural compliance issues

• Stakeholder Involvement
  • Regular newsletter updates on the status of progress with site assessment activities and relevant STP areas
  • 2016 Family Sessions
  • 2017 Legislative Session – House Bill 1102
    • The task force shall prepare a comprehensive plan of implementation of community based services provided to people with intellectual and other developmental disabilities.
    • Plan due: November 2018
Current Activities: Indiana (cont.)

• HCBS Deadline Extension
  • Further compliance activities
  • Waiver/Service revisions
  • Provider technical assistance
  • Task Force activities and coordination
  • Community capacity and education
• Status of Statewide Transition Plan
  • Initial approval of Statewide Transition Plan - Nov. 2, 2016
  • Amended Statewide Transition Plan submitted - Aug. 1, 2017
  • Waiting on final approval from CMS

• Heightened Scrutiny
  • Three program areas for DHS and OHA:
    • Aging and People with Disabilities (APD)
    • Health Systems Division (HSD)
    • Office of Developmental Disabilities Services (ODDS)
  • Jan. 1, 2016 – June 30, 2019 Measurable Progress
  • Assessments (Individual Experience and Provider), onsite visits
  • Stakeholder involvement meetings – combined and by Program
Current Activities: Oregon (cont.)

• HCBS Deadline Extension
  • Oregon requested full three years
    • Six month extension for full execution of Modifications to the Conditions
    • Allows full cycles of regulatory oversight to ensure compliance
    • Additional time for ODDS Employment Sites
  • Additional detail was added for final approval of STP
    • Use of Restraints
    • Completion of Heightened Scrutiny Review
Lessons Learned: South Carolina

• **Most significant positive**: Initial approval

• **Biggest aha**: two points
  • Person-centeredness should carry you all the way to compliance
  • Don’t create things to be compliant; look instead at what barriers we have in place to living independent lives – and remove them

• **Most challenging**: two points
  • Provider buy-in to the whole intent of the rule
  • Getting providers to switch from caretaker/expert/protector mentality to a support-person mentality

• **Training for staff**: not happening fast enough
  • Had a great “a-ha” moment for some Community Long Term Care (CLTC) case managers re: person-centered planning

• **Incorporation into ongoing QA processes**: Through site-visit process, sister agency revamped their compliance indicators in time for their QIO RFP to go out. Huge step!
Lessons Learned: Ohio

• **Most significant positive**: Improvement and Innovation across the delivery system.

• **Biggest aha**: “Community” means something different to everyone.

• **Most challenging**: Designing and implementing a consistent approach across three state departments at the same time other MAJOR system transformation initiatives are underway.

• **Training for staff**: The key is person-centered planning.

• **Incorporation into ongoing QA processes**: Distinction between the characteristics of the setting and the preference of the individual.
Lessons Learned: Indiana

• **Most Significant Positive:**
  • Final rule springboarded Indiana into more person-centered practices
  • Communities of Practice – Lifecourse Framework

• **Biggest aha:**
  • Data Limitations
  • Broad service delivery approaches

• **Training for staff**
  • Role-based challenges
  • Systemic training needs to address

• **Incorporation into ongoing QA processes:** Need to modernize
Lessons Learned: Oregon

• **Most significant positive:**
  • High engagement from Stakeholders
  • Stakeholder-generated solutions
  • Cross-program coordination

• **Biggest aha:**
  • Retrofitting vs. Building from the ground up
  • Maternal/Paternal
  • Everybody needs to adapt
    • Consumers
    • Providers
    • Regulators
    • Medicaid System/Staff
    • Adult Protective Services
Lessons Learned: Oregon (cont.)

• **Most challenging:**
  • Modifications to the Conditions
    • Inability to Consent
    • Major culture shift
    • Staffing limitations
  • Cross-Program Coordination
    • “Speaking different languages”

• **Training for staff:**
  • In-person
  • Webinars
  • Newsletter articles
  • Question & Answer call-in sessions
  • FAQ web postings
Lessons Learned: Oregon (cont.)

• Incorporation into ongoing QA processes:
  • Moving HCBS into Standard Regulatory Process
  • Safety, Oversight and Quality Unit
  • Office of Adult Abuse Prevention and Investigations
  • 1-year Licensing Cycle
    • APD Adult Foster Home
  • 2-year Licensing Cycle
    • APD Community-Based Residential: Assisted Living & Residential Care
WHAT’S NEXT?
What’s Next? South Carolina

• Settings compliance determination
• Incorporation of settings requirements into QA/QI processes
• Statewide Transition Plan update – and public notice
  • Final Approval Goal by 2019
• Person-Centered Planning:
  • Training for staff
  • Education for participants/families
• Conflict – free Case Management – implementing our transition plan
What’s next? Ohio

• Submit heightened scrutiny review requests to CMS.
• Implementation of re-designed services in ICF-IID delivery system.
• Re-designing services in the NF-LOC delivery system.
• Monitoring compliance with regulation.
What’s Next? Indiana

• Identification of additional supports – ongoing resources for compliance determination and monitoring
• Submission of updated, revised STP with new timeline
• Revisit short and long-term plans for Indiana’s HCBS waivers
• Task Force plan and next steps
• Increased community buy-in
What’s Next? Oregon

• APD & HSD
  • Modifications to the Conditions
• ODDS
  • Employment
• Stakeholders
  • How to report settings with potential institutional qualities
Q & A
THANK YOU!

Join our new LinkedIn group:
Community Integration and Individual Autonomy for Persons with Disabilities.