



Department
of Health

Children's HCBS Waiver: Addressing Provider Capacity

**For Article 28 Clinics, Hospice
Organizations, Certified Home Health
Agencies, and Other Providers**

Purpose

- Overview of the 1915(c) Children's Home and Community Based Services (HCBS) Waiver
- Defining the array of services
- Building provider capacity statewide
- Obtaining feedback from providers
- How to become a provider for Palliative Care Services under the Children's Waiver

Children's HCBS Waiver Overview

- In April 2019, the Children's Waiver brought six previously separate waivers for children operated by different State agencies under one comprehensive waiver administered by Department of Health (DOH):
 - Office of Children and Family Services (OCFS) Bridges to Health (B2H)
 - Serious Emotional Disturbance (SED),
 - B2H Developmental Disabilities (IDD),
 - B2H Medically Fragile (MedF) Waivers
 - The Office of Mental Health (OMH) SED Waiver
 - Office for People With Developmental Disabilities (OPWDD) Care at Home (CAH) IV Waiver for children who have an IDD and Medically Fragile
 - The Department of Health (DOH) Care at Home (CAH) I/II Medically Fragile Waiver .
- The consolidation allowed for increased access and elimination of barriers

Children's HCBS Waiver Overview Cont.

- All children and youth eligible for Children's Waiver under 1915(c) authority in New York State may receive a range of Home and Community Based Services (HCBS) based on their individual needs.
- HCBS was designed to allow children and youth to participate in developmentally and culturally appropriate services through Medicaid.
- HCBS are designed for children and youth who, if not receiving these services, would be at risk for a level of care provided in a more restrictive environment, such as a long-term care facility or psychiatric inpatient care.
- The new consolidated Children's Waiver serves four target populations for children/youth:
 1. Serious Emotional Disturbance (SED)
 2. Medically Fragile (MedF)
 3. Developmental Disability (IDD) and Medically Fragile
 4. Developmental Disability (IDD) and in Foster Care

Children's Waiver Palliative Care Services

- These set of services are specialized medical care focused on providing relief from the symptoms and stress of a chronic condition or life-threatening illness.
- The goal is to improve quality of life for both the child/youth and the family.
- The services are provided by a specially-trained team of doctors, nurses, social workers, and other specialists who work together with a child/youth's doctors to provide an extra layer of support.
- Providers of these services for the Children's Waiver must be designated by NYS designation team after an application submission
- The Children's Waiver services are paid through the member's Medicaid Managed Care Plan (MMCP) or Fee-for-Service (FFS), if the child/youth is not in Plan
 - Designated service provider agencies must have contracts with MMCPs

Children's Waiver Eligibility and Referrals

- Children/youth must meet Level of Care (LOC) functional criteria and suffer from the symptoms and stress of chronic conditions or life-threatening or terminal illnesses.
- Health Home care managers (HHCM), for children/youth with Medicaid; or Children and Youth Evaluation Services (C-YES); for children/youth without Medicaid; conduct the Level of Care (LOC) eligibility determination for the Children's Waiver
- HHCM or C-YES develops a Plan of Care with the eligible member, their family, and identified supports regarding the needs/goals they want to address and the choice of services and service provider
- HHCM or C-YES then makes referrals to HCBS Children's Waiver designated service providers

Four HCBS Palliative Care Services

- Expressive Therapy
- Massage Therapy
- Pain and Symptom Management
- Counseling and Support Services

Expressive Therapy

- Expressive Therapy (art, music, and play) helps children/youth better understand and express their reactions through creative and kinesthetic treatment.
- The use of expressive therapy assists children/youth to feel empowered in their own creativity, control, and aid in their communication of their feelings while handling a chronic condition and/or life-threatening illness.
- Music, art, and/or play therapy can help the child/youth to find a positive means to express their feelings.
- Qualifications: Child Life Specialist with certification through the Child Life Council; Creative Arts Therapist licensed by the State of New York; Music Therapist with a Bachelor's Degree from a program recognized by the NYS Education Department; Play Therapist with a Master's Degree from a program recognized by the New York State Education Department; current Play Therapist Registration conferred by the Association for Play Therapy (Expressive Therapy (Art, Music, and Play))

Massage Therapy

- Massage Therapy is used to improve muscle tone, circulation, range of motion, and address physical symptoms related to illness.
- It will provide physical and emotional comfort, pain management, and restore the idea of healthy touch for children/youth who are dealing with treatments that may cause pain from interventions, ongoing and/or past trauma.
- Qualifications: Massage therapist currently licensed by the State of New York

Pain and Symptom Management

- Pain and Symptom Management consist of relief and/or control of the child/youth's suffering related to their illness or condition.
- It is important to aide in providing relief from pain and symptoms and/or controlling pain, symptoms, and side effects related to chronic conditions or life-threatening illness a child/youth is enduring.
- This management is also an important part of humanely caring for the child/youth's pain and suffering but helping the child/youth and family cope and preserve their quality of life at a difficult time.
- Qualifications: Pediatrician or Family Medicine Physician board certified in Pediatrics or Family Medicine licensed by the State of New York; Nurse Practitioner licensed by the State of New York; Registered Nurse licensed by the State of New York under the direct supervision of a Pediatrician or medical physician, board certified in Pediatrics

***Providers must be an Article 28 Clinic, Hospice Organization or a Certified Home Health Agency to provide this specific service.*

Counseling and Support Services

- Formerly known as: Bereavement Service
- The Children's Waiver has enhanced Counseling and Support Services and Health Home care management to support the caregivers, siblings, and other family members, as follows:
 - Provide counseling and support to the child and family to deal with the symptoms and stress of a chronic condition or life-threatening illness,
 - Provide continued counseling for up to six (6) months to the child's family after the child passes, and
 - Continue to provide Health Home Care Management to support the family for a period of 30 days after the child passes
- Qualifications: Licensed Clinical Social Worker (LCSW), Licensed Master Social Worker (LMSW), Licensed Psychologist, Licensed Mental Health Counselor (LMHC), or Licensed Creative Arts Therapist (LCAT) that meet current NYS licensing guidelines

Call to Action

- Currently in NYS there are only 4 designated providers of HCBS Palliative Care services, serving across 7 sites:
 - All 7 sites provide Counseling and Support Services and Expressive Therapy;
 - Of those 7, only 3 sites provide Massage Therapy and Pain and Symptom Therapy; and,
 - 143 children are currently receiving at least one service.
- Current designated providers are located: NYC, Bronx, Nyack, New Hyde Park, and Buffalo

Children's Waiver Amendment

- Based upon continued dialogue with stakeholders and assessing the needs of Waiver recipients, NYS has made additional changes to the Waiver through Waiver Amendments:
 - Palliative Care Bereavement services title was changed to reflect the service and all that it encompassed – Counseling and Support Services
 - Pain and Symptom Management staffing qualifications were updated to include Registered Nurse licensed by the State of New York under the direct supervision of a Pediatrician or medical physician, board certified in Pediatrics
 - Comparison rates were evaluated and prior to any enhanced rates that are occurring in 2022, rates were increased
 - Qualifications and years of experiences has been adjusted for some of the services based on provider feedback
 - Future Amendment will remove specific years of experience language “working with the medically fragile population”

Provider Selection of Services

- A palliative care provider has their own discretion in determining which component(s) they are interested in providing.
- A provider can provide all four services, one service or a combination of services.

How to Become a Designated Provider

- Providers must be designated through the provider designation process to provide Children's HCBS services under the NYS Medicaid program (both fee-for-service Medicaid and Medicaid Managed Care).
- Providers interested in becoming a HCBS designated providers must submit their request to the HCBS Provider Designation mailbox at: omh-childrens-designation@omh.ny.gov
- DOH will be available to meet individually with any providers interested in further discussion. Please submit your request or any questions to the Behavioral Health Transition mailbox: bh.transition@health.ny.gov

Additional information on HCBS Designation can be found at the following link:

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

Home and Community Based Services

- In addition to Palliative Care Services, providers may also request designation for:
 - Community Habilitation
 - Day Habilitation
 - Caregiver/Family Advocacy and Support Services
 - Crisis Respite
 - Planned Respite
 - Prevocational Services
 - Supported Employment

Additional information on these services can be found in the Children's Home and Community Based Services Manual:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/docs/hcbs_manual.pdf

August 2022

Additional Stakeholder Engagement

- DOH will be forming a Palliative Care stakeholder workgroup to assist in improving and implementing this service.
 - HCBS Providers
 - Managed Care Plans
 - Family members
 - Other Providers and relevant stakeholders
- Information on these stakeholder workgroups will be forthcoming
- Providers interested in joining this workgroup should contact DOH at: BH.transition@health.ny.gov

Provider Feedback

Please share your interest

What other adjustments would be needed to the service?

Other suggestions, comments, and feedback to develop provider capacity for these services?

August 2022

For Information

- Find guidance, policies, forms, webinars, and more on the **NYS DOH 1915c Children's Waiver** webpage located at:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/1115_waiver_amend.htm

- **Children's Home and Community Based Services Manual**

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/docs/hcbs_manual.pdf

- **Children's Consolidated Waiver Services (HCBS) - Rate Summary effective 4/1/2022**

[Children's Consolidated Waiver Services \(HCBS\) \(ny.gov\)](#)



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