



Department
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Developmental Disabilities

State Discussion with Children's Waiver HCBS Providers

March 2021

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

- Discussion: Special Needs of Target Populations
- Tracking HCBS Capacity
- Incident Reporting and Management System (IRAMS) Announcement
- HCBS Settings Final Rule
- HCBS Providers Providing Service Education
- Issued Policies and Webinars
- Agenda Topics for April meeting

Discussion: Special Needs of Target Populations



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Service Designation

- HCBS provider designation for services is not population based
- HCBS are for all population types however, a provider can indicate at the time of referral if they do not have the proper trained staff or experience to serve a specific individual/population type
- HCBS Providers have asked how they could expand their service experience to serve other populations



Discussion

- Understanding differences in service needs between target populations
- How to build provider capacity to address those needs
- How to effectively connect special-need children/youth with providers who can address those needs
- Suggestion?
 - mentoring from other providers
- How can the State help?



HCBS Provider Connection and Support

- Some HCBS Providers have reached out and asked to get other HCBS providers information to connect
- There are some newer providers that are looking for information or support
- The State would like to share connect information for the HCBS Providers with all providers and the services designated – would this be helpful?
- As previously stated, the State is looking to hold conversations about capacity building and services access, etc. – would conversations with HCBS providers who are designated for the same services be a way to start?
- Other ideas?



Tracking Capacity - Guidance Reminder

Capacity

- In December 2020, the State launched a new MAPPING system to identify and locate CFTSS and HCBS providers for referrals
- Additionally, the State asked for the HHCM/C-YES to report when referring children/youth for services and having an access barrier – the report was through an open survey
 - Hoping to gather information about capacity – by county and service
 - Although this has been good information, it has been limited and did not clarify specific needs
- Some HCBS providers report waitlists while other providers are asking for referrals



Tracking Capacity

Due to survey information not being timely or accurate, the State is exploring options for a system to track HCBS provider enrollment and availability

- Feedback from HCBS providers is very important
 - Want to hear your ideas
 - Understand that there are many surveys, RPC tracking sheets, and other problem-solving ideas being shared
- If something is built it would be regarded for regularly entry by HCBS providers and would become part of designation



First Steps – Current Information

- Need an understanding of what is happening today with HCBS and providers
- If there is waitlist – how many kids, how long, what service, what area/county/etc.
- Reasons for waitlist – staffing, fiscal, overall ability, etc.
 - What is the best way to obtain this information from HCBS providers?

The State is working with Health Homes and MCOs to ensure their members have access to services



Guidance Reminders

- Guidance: [Medicaid Status Impact on HCBS Eligible Children](#)
- Guidance: [Care Management Requirements for HCBS Eligible Children](#)
 - Children/youth enrolled in the waiver **must** receive the HCBS needed for health, safety, and welfare. Due to their high needs, children/youth with a Children's Waiver plan of care requiring HCBS cannot be placed on HCBS provider's waitlist for all their identified and referred HCBS.
 - HHCMs, C-YES, or MMCP, as applicable, must make every effort to find available HCBS and HCBS providers that meet the identified needs of the child/youth. The child/youth **must** be *referred to another HCBS provider in their service area with the capacity to serve the child/youth instead of being waitlisted.*



NEW Incident, Complaints, Grievance System



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Incident Management System

- As a requirement within the Children's Waiver; tracking and reporting of all Critical Incidents, Complaints, and Grievances must occur
- The NEW Incident Management System will be adding HCBS providers as the Children's Waiver requires reporting of Critical Incidents, Complaints, and Grievances.
- Access through the Health Commerce System (HCS) will be used
- HCBS providers will need to identify 1-3 staff to have access to the system – not all staff should have access
 - Access will be given by the HCBS provider's HCS Coordinator
 - The State will be asking for HCBS providers to provide the staff's information



IRAMS Set-Up Process

- Announcement went out last week sharing that a new system will be launched by April 1, 2021 in concert with policies effective date
 - [Children's Waiver HCBS Reportable Incident](#) Policy
 - [Children's Waiver HCBS Complaints and Grievances](#) Policy
- HCBS providers will receive a process document regarding how to get connected to the new system and a spreadsheet to be completed and returned to the State of the 1-3 identified staff who will access the system
 - The State will provide TA to ensure connectivity
- In the next week or so, a webinar announcement and user guide will be issued



HCBS Settings Final Rule



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HCBS Settings Final Rule

- As part of the process to confirm compliance with the CMS HCBS Settings Final Rule, designated children's HCBS providers must submit a completed [Documentation Worksheet](#) *for each designated site*.
- Documentation Worksheets were due **3/10/2021**
 - Currently have a number of providers that have not completed and submitted documentation
 - Providers will receive confirmation that their documentation has been received (if you do not receive confirmation within 1 business day, please follow-up)



HCBS Settings Final Rule

- A random sample of providers will also be selected for virtual onsite assessments
- Documentation reviews are being prioritized as follows:
 - Sites selected for virtual onsite assessments
 - Residential sites
 - Non-residential sites
 - Sites delivering services in the home/community only
- Providers will receive confirmation once the documentation review is complete



HCBS Providers Providing Service Education



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HCBS Providers Sharing Their Expertise

- Previously the State asked for HCBS provider volunteers to assist with educating Health Home care managers, C-YES, and other stakeholders about the HCBS
- The State will provide a template and set up a time to record the presentations in April

Tentative Agenda:

1. Name of service and definition (DOH will provide)
2. Qualified practitioners who may deliver the service (DOH will provide)
3. Purpose of the service
4. Identify which children/youth would benefit from the service
5. Types of Needs the service can meet (Link need/behaviors to service)
 - a. Examples will be helpful
6. The provider process to deliver the service
7. Typical frequency, scope, and duration for the service
8. Anything else the HCBS provider believes would be helpful



Providers Who Volunteered to Support HCBS Delivery Education

- DOH previously asked agencies if they are interested in participating, respondents include:
 - Astor Services for Children and Families
 - CHDFS, Inc.
 - Extraordinary Home Care d/b/a St. Mary's Home Care
 - Herkimer County Chapter, NYSARC Inc.
 - Pathways, Inc.
 - JCCA
- Services NOT covered by these providers include:
 - Palliative Care – Massage Therapy
 - Palliative Care – Pain and Symptom Management

Please let DOH know if your agency is interested in providing support and/or if you know of a child/youth/family who would be willing to share their experience



Collaboration with RPCs

- In addition to these webinars, the State is collaborating with RPCs to host a forum – including discussion and networking opportunities (with break-out sessions specific to role, region, and topics)
- Getting the Consumers voice...
 - If possible also have a consumer receiving the service also be part of the service recording to describe how the service impacted the
 - How else could consumers feedback be utilized?
 - If providers have recommendations on consumers who would be interested, please let DOH know
- Additional suggestion to have conversations with HCBS program and CEOs regarding the services; sustainability and how to build capacity. The State will be outreaching to HCBS providers to start a regular dialogue regarding these topics



Policies and Webinars



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Policies and Webinars

- The State has issued a number of policies and webinars
 - Health Homes and HCBS providers request guidance how to implement the work of the Children's Waiver
 - The State needs to demonstrate compliance to the Waiver and ensure HH, C-YES, and HCBS providers know the Waiver requirements
- Consistency building of the Waiver requirements – with the State's policies and trainings, the HHs, C-YES, HCBS providers, and other stakeholders can reinforce the requirements and build their own trainings and policies
- Would like to hear feedback from HCBS providers about the policies and webinars – what else is need or what else would be helpful



Upcoming HCBS Children’s Waiver Webinars

HCBS Overview	LOC/ Eligibility Determination	Waiver Enrollment	POC Development	Referral	Maintaining Waiver Enrollment / Service Delivery	Transfer / Disenroll
Children’s Medicaid System Overview/ Children’s Waiver Overview	CANS-NY/ Eligibility Assessment	Capacity Management	Plan of Care/Person-Centered Planning Requirements	HCBS POC Workflow and MMCP Authorization	Care Management Requirements for HCBS	Waiver Disenrollment
Health Home Care Management Basics	NODs, Fair Hearing, Critical Incident Reporting, Grievances and Complaints	Participant Rights and Protections	Service Delivery and Definitions		Service Delivery Requirements	Transferring to Adult Services (aging out) or OPWDD waiver
HCBS Provider Requirements for Designation	Children and Youth Evaluation Services (C-YES) – the Role of the Independent Entity	Conflict Free Care Management				
Medicaid Overview / Medicaid and the Children’s Waiver						

Required for only Health Home Care Managers
Required for only HCBS Providers
Required for Both
Optional for Both

Policies for Children's HCBS Providers

Policy Title	Link	Posted Date	Effective Date	Applicable to Health Homes	Applicable to HCBS Providers
Children's HCBS Plan of Care (POC) Workflow Policy	Link	9/1/2019	10/1/2019	Yes	Yes
HH POC Policy (<i>Note: includes a section specific to Children's Waiver</i>)	Link	7/30/2019	10/1/2019	Yes	No
Conflict Free Care Management (CFCM) Policy	Link	Revised 5/1/2020	2/1/2020	Yes	No
HH Reportable Incidents Policies and Procedures (<i>Note: section specific to Children's Waiver</i>)	Link	Revised 10/7/2019	7/14/2017	Yes	No
Children's HCBS Plan of Care (POC) Workflow Policy	Link	9/1/2019	10/1/2019	Yes	Yes
HH POC Policy (<i>Note: includes a section specific to Children's Waiver</i>)	Link	7/30/2019	10/1/2019	Yes	No
Conflict Free Care Management (CFCM) Policy	Link	Revised 5/1/2020	2/1/2020	Yes	No
HH Reportable Incidents Policies and Procedures (<i>Note: section specific to Children's Waiver</i>)	Link	Revised 10/7/2019	7/14/2017	Yes	No
HCBS Provider Incident Reporting Policy	Link	12/31/2020	4/1/2021	No	Yes
HHSC Grievances and Complaints Policy	Link	2/9/2021	4/1/2021	Yes	No
HCBS Provider Grievances and Complaints Policy	Link	2/9/2021	4/1/2021	No	Yes
HH Background Check Requirements	Link	4/1/2018	4/1/2018	Yes	No
HCBS Provider Background Check Policy	Link	12/31/2020	4/1/2021	No	Yes
HCBS Documentation Policy		TBD	4/1/2021	Yes	Yes
HCBS Provider Designation and Re-designation Policy		TBD	4/1/2021	No	Yes
HCBS Provider De-designation Policy	Link	9/1/2020	9/1/2020	No	Yes
Children's HCBS Enrollment Policy	Link	1/26/2021	4/1/2021	Yes	Yes
Children's HCBS Disenrollment Policy	Link	1/26/2021	4/1/2021	Yes	Yes
HCBS Notice of Decision Policy		TBD	4/1/2021	Yes	Yes
HHSC Transitional Age Youth Policy		TBD	4/1/2021	Yes	No
HCBS Provider Transitional Age Youth Policy		TBD	4/1/2021	No	Yes
Health Home/C-YES Transfer Policy	Link	2/1/2021	2/1/2021	Yes	No



April Agenda

- HCBS Provider Designation/Re-designation policies and an updated Provider Designation Attestation
 - Policies will be issued in advance
 - Providers should also review the [De-designation Procedure](#)
- Please submit your agenda requests, suggestions, or questions to BH.Transition@health.ny.gov



DISCUSSION

Other Items/Topics



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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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