NEW YORK STATE | Department of Health | Office of Health Insurance Programs

Community First Choice Option (CFCO)

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What is CFC Option?
(Affordable Care Act, PL 111-148, Sec. 2401)

- Provides additional Federal Medicaid Assistance Percentage (FMAP) (+6%) to states to expand and enhance State Plan home and community-based attendant services and supports to individuals in need of long term care for Activities of Daily Living (ADLs), Instruments of Activities of Daily Living (IADLs), and health-related tasks.

- Focus is on person-centered, individually directed services that help the recipient maximize his or her independence and participation in the community.

Who is Eligible for CFCO?

- Must be eligible for Medicaid under the State Plan without any special rules;
- Must have an institutional level of care; and
- Must live in your own home or the home of a family member, regardless of where services are rendered.

Required Services

- Must provide consumer controlled personal assistance services and supports for ADLs, IADLs and health-related tasks, including supervision and cueing.
  - Currently, supervision and cueing are available in NYS only through waivers.
- Services must be provided across Medicaid eligible populations (DOH, OMH, and OPWDD).
- Services and supports must be provided in the community.

Excluded Services

- Room and board.
- Special education and related services provided under the IDEA or vocational services provided under the Rehabilitation Act of 1973.

Current Services and Supports Under the CFCO Umbrella

- Assistive Technology
- Community Habilitation
- Community Transitional Services
- Durable Medical Equipment/Medical Supplies
- Environmental Modification
- Supervision and/or Cueing
- Home Delivered/Congregate Meals
- Home Health Care (Aide)
- Homemaker/Housekeeper
- Moving Assistance
- Personal Care/Consumer Directed Personal Assistance Program
- Personal Emergency Response
- Transportation - Non-Emergency, Medical
- Transportation - Non-Emergency, Social
- Vehicle Modification

CFCO in Context of NYS Long Term Care Environment

- Will be offered in both Fee-For-Service and Medicaid Managed Care/Managed Long Term Care environments.

- Two options: traditional agency model, under which participants hire an aide through a Licensed Health Care Services Agency or existing provider; and an agency with choice model, under which participants hire an aide directly which may include a brother/sister, neighbor or friend and the aide is paid through a fiscal intermediary.

- Individuals requiring assistance with health-related tasks should consider the agency with choice model to take advantage of the nurse practice exemption act offered to Consumer Directed Personal Assistance Program (CDPAP) participants.

What Does Consumer Directed Mean?

- The CFCO statute and regulation require that services and supports be delivered in the most consumer-driven manner desired by the individual.
- The regulation's preamble clarifies that this encompasses a range of activities from selecting and managing your own personal care assistant to contacting an agency to send an attendant with whom the individual is comfortable performing needed tasks, services and supports.
- If the individual is not self-directing, he or she may choose someone to be a representative in selecting and managing his or her attendant. This representative must be involved in the person-centered planning process and cannot be a provider of services and/or supports. Usually, it is a family member or close friend.

What Does Approval Mean for Plans?

- All CFCO services and supports are currently offered in NYS.
- A number of CFCO services and supports were previously only available to individuals in waivers; these services and supports are now in the State Plan and must be offered through managed care and managed long term care plans.
- Participation in CFCO should be seamless for both the participant and the provider.
- CFCO should allow a greater number of individuals to meet their functional needs at home and in the community by providing flexible, consumer-driven long term services and supports that can be delivered by an aide.
- CFCO should defer individuals from institutional placement and can provide assistance to individuals moving from institutional settings to home and community based settings.

QUESTIONS?

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CFCO website:
https://www.health.ny.gov/health_care/medicaid/redesign/community_first_choice_option.htm