



Home and Community Based and Model II Waiver Public Comment

Cabinet for Health and Family Services
Department for Medicaid Services
October 12, 2020

Agenda

1. Waiver Renewal vs. Waiver Redesign

2. Overview of Home and Community Based (HCB) Waiver Updates

3. Overview of Model II Waiver (MIIW) Updates

4. How to Submit Public Comment

5. Next Steps

WAIVER RENEWAL VS. WAIVER REDESIGN

Waiver Renewal

The Centers for Medicare and Medicaid Services (CMS) approves waiver applications for a five-year period.

After five years, the application must be renewed.

HCB and MIIW expire in 2020.

Waiver Renewal

Waiver renewal is an opportunity to make needed updates to waivers.

CMS requires a 30-day public comment period when updates are made.

HCB and Model II updates focus on expanding the provider base, increasing choice for participants and/or better describing DMS operational processes.

Waiver Redesign

Waiver redesign is paused as of February 2020. No date for resuming redesign has been set.

The HCB and MIIW renewals do not include all updates proposed through waiver redesign, such as unbundling of services or rate changes.

Some of the new processes described in the HCB and MIIW renewal were developed using feedback from waiver redesign.

OVERVIEW OF HCB UPDATES

Overview of HCB Updates

New Processes or Policies Proposed	Updated to Add Current Processes or Policies	No Change
<ul style="list-style-type: none"> Appendix C: Participant Services Appendix E: Participant Direction of Services 	<ul style="list-style-type: none"> Appendix B: Access & Eligibility Appendix D: Service Planning & Delivery Appendix F: Participant Rights Appendix G: Participant Safeguards 	<ul style="list-style-type: none"> Appendix A: Waiver Administration and Operations Appendix H: Quality Systems Improvement Appendix I: Financial Accountability Appendix J: Cost-Neutrality Demonstration

Proposed New Processes & Policies for HCB

Appendix C: Participant Services

- **Attendant Care** expanded to allow personal service agencies (PSA) and Centers for Independent Living as provider types
- **Home Delivered Meals** expanded to allow frozen meals in addition to hot meals
- **Participant Directed Services (PDS) Care Coordinator** expanded to allow Community Mental Health Centers and Centers for Independent Living as a provider type
- **Respite** expanded to allow adult day health cares (ADHC) to provide service in the ADHC or in-home and to allow PSAs as provider types

Proposed New Processes & Policies for HCB

Appendix E: Participant Direction of Services

- “Immediate Family Member Approval Process” changed to “Legally Responsible Individual (LRI) Approval Process”
- LRI approval process updated to better define who must receive approval and make it more objective and evidence-based
- Introduction of optional Employer Responsibilities Review Tool to help determine a participant’s self-direction support needs
- Service improvement plans added for instances where a participant needs to resolve a service delivery issue

Updated to Add Current Processes or Policies - HCB

Appendix B: Access & Eligibility

- Updated patient liability calculations that took effect Jan. 1, 2020

Appendix D: Service Planning & Delivery

- Updated to reflect service authorization process that took effect Nov. 25, 2019

Appendix F: Participant Rights

- Updated to reflect grievance and appeals process already in place

Appendix G: Participant Safeguards

- Updated to reflect streamlined incident reporting process that began in June 2019 and use of MWMA to enter reports beginning Dec. 1, 2020

HCB Appendices with No Changes

- Appendix A: Waiver Administration and Operation
- Appendix H: Quality Systems Improvement
- Appendix I: Financial Accountability
- Appendix J: Cost-Neutrality Demonstration

OVERVIEW OF MIIW UPDATES

Overview of MIIW Updates

New Processes or Policies Proposed	Updated to Add Current Processes or Policies	No Change
<ul style="list-style-type: none"> Appendix C: Participant Services 	<ul style="list-style-type: none"> Appendix B: Access & Eligibility Appendix D: Service Planning & Delivery Appendix F: Participant Rights Appendix G: Participant Safeguards 	<ul style="list-style-type: none"> Appendix A: Waiver Administration and Operations Appendix H: Quality Systems Improvement Appendix I: Financial Accountability Appendix J: Cost-Neutrality Demonstration

Note - Appendix E: Participant Direction of Services is not applicable as MIIW does not offer PDS.

MIIW Appendices with Proposed New Processes & Policies

Appendix C: Participant Services

- **Skilled Services by an LPN, RN or RT** expanded to include private duty nursing agencies as a provider type

MIIW Appendices Updated to Add Current Processes or Policies

Appendix B: Access & Eligibility

- Updated patient liability calculations that took effect Jan. 1, 2020

Appendix D: Service Planning & Delivery

- Updated to reflect service authorization process that took effect Nov. 25, 2019

Appendix F: Participant Rights

- Updated to reflect grievance and appeals process already in place

Appendix G: Participant Safeguards

- Updated to reflect streamlined incident reporting process that began in June 2019 and use of MWMA to enter reports beginning Dec. 1, 2020

MIIW Appendices with No Changes

- Appendix A: Waiver Administration and Operation
- Appendix H: Quality Systems Improvement
- Appendix I: Financial Accountability
- Appendix J: Cost-Neutrality Demonstration

HOW TO SUBMIT A PUBLIC COMMENT

How to Submit a Public Comment

Email

MedicaidPublicComment@ky.gov

Phone

Call (844) 784-5614

Mail

Department for Medicaid Services
Division of Community Alternatives
Attn: Public Comment
275 E. Main St., 6W-B
Frankfort, Kentucky 40621

Please include your name, organization or provider agency (if applicable), contact information and your comments. Please do not include personal health information in your comments, as they may be shared publicly.

Next Steps

- The 30-day official public comment period **began on October 5, 2020**. DMS will collect official public comments until **11:59 p.m. on November 6, 2020**.
- DMS will review all comments and issue a public response before submitting HCB and MIIW to CMS for approval.
- No changes will take effect until HCB and MIIW are approved by CMS.

Waiver Renewal Resources

DMS DCA Website

<https://bit.ly/kyhcbswaiverinfo>

Amended HCB Waiver

<http://bit.ly/kyhcbpc20>

Amended MIIW

<http://bit.ly/kymiiwpc20>

Summary of HCB and MIIW Updates

<http://bit.ly/kypc20summary>

Ongoing Stakeholder Engagement

- **Thank you** for your valuable input and continued partnership with DMS. We are grateful for your energy and efforts to improve the Kentucky 1915(c) HCBS Waiver Programs.
- **Remember:** While this is the official public comment period for HCB and MIIW, **DMS is always accepting comments** on all waivers at MedicaidPublicComment@ky.gov, 1915cWaiverHelpDesk@ky.gov or (844) 784-5614.