

ATTACHMENT C to Massachusetts Statewide HCBS Transition Plan

December 2014

The Massachusetts Executive Office of Elder Affairs Transition Plan for Compliance with the HCBS Community Rule

Overview

The Executive Office of Elder Affairs (EOEA) HCBS Transition Plan fully supports the HCBS Community Rule published on March 17, 2014 by the Centers for Medicare and Medicaid Services (CMS). EOEA has reviewed settings where consumers of its 1915(c) Frail Elder Waiver reside and receive services. Since the vast majority of waiver consumers today reside in their own home or apartment, there are minimal situations where EOEA has identified potential compliance issues related to CMS' new rules for community settings. EOEA has established a plan to focus on the two areas where more in-depth review is needed:

1. For certain Congregate Housing settings in which waiver participants may reside.
2. For certain waiver services known as Supportive Day Programs

Congregate Housing

While almost all of the Congregate Housing settings are in publically owned buildings, there are perhaps 2-3 such settings that are in private/public apartment complexes. A review of waiver participants residing in all congregate settings indicate that a very small percent (less than 1%) reside in this setting. Elder Affairs will conduct an assessment of each congregate setting to identify where any compliance issues exist and therefore where changes need to take place. EOEA has confirmed that all Congregate Housing settings have lease agreements with all residents, including all waiver participants, and that these settings ensure maximum community integration. Additional review of these settings will be undertaken as follows:

Activity

Each Congregate Housing setting completes a compliance self-assessment.

Timeframe

Sept 2014

Completed

Activity

EOEA reviews self-assessment results.

Timeframe

Oct 15 – Nov 1, 2014

Completed

Activity

EOEA identifies any Congregate Housing setting in need of a plan to transition to full compliance.

Timeframe

January 1, 2015

Activity

EOEA develops program-specific compliance plans, in collaboration with Congregate Housing settings, as identified.

Timeframe

March 1, 2015

Activity

EOEA ensures full compliance of all Congregate Housing settings

Timeframe

March, 2016

Waiver Supportive Day Service

EOEA will undertake a review of the Supportive Day service currently included in its waiver, following its review of Congregate Housing settings, with the goal of ensuring compliance before March 2018. EOEa will review the settings in which Supportive Day services may be located to determine compliance with CMS HCBS settings rules relative to already-issued guidance, and while awaiting more specific guidance on day/employment services from CMS. EOEa has determined that less than 1% of waiver participants currently utilize this service.