# EOHHS Listening Session

**Home and Community Based Services (HCBS) Waiver Amendment Application:**

Intensive Supports Waiver

Community Living Waiver

Adults Supports Waiver

January 6, 2023

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***Thank you!***

## Agenda

* Introductions
* Overview of Waiver Amendment
* Summary of Changes Being Proposed
* Process & Timeline
* Public Comments

## Common Acronyms and Terms

CMS - Centers for Medicate and Medicaid Services

EOHHS - Executive Office of Health and Human Services

HCBS - Home and Community Based Services

MassHealth - The Massachusetts Medicaid Program

DDS – Department of Developmental Services

ICF/IID – Intermediate Care Facility for Individuals with Intellectual Disabilities

**Overview: Waiver Renewal Process**

CMS typically approves Home and Community Based Services waivers for a period of five years.

## Changes to an approved waiver must be submitted to CMS in the form of a Request for an Amendment.

## MassHealth and DDS jointly developed the amended applications.

## The draft waiver amendment applications are posted for a 30-day public comment period that ends on January 20, 2023.

## Today we are holding a listening session to hear public comments about the amended applications.

**Overview: Massachusetts is amending the Intensive Supports Waiver, Community Living Waiver, and Adult Supports Waiver**

## These waivers provide supports and services to adults 22 years and older who meet the ICF/IID level of care.

## Intensive Supports Waiver (IS): serving individuals who require supervision and support 24/7 in order to avoid institutionalization.

## Community Living Waiver (CL): serving individuals who require a moderate level of assistance. Participants live in a family home, adult foster care, with a live-in caregiver, or independently and do not require 24-hour care.

## Adult Supports Waiver (AS): serving individuals who require community-based supports to reside successfully in the community, and who have a strong natural or informal support system. Participants live in family homes, adult foster care, or independently and do not require 24-hour care.

## Summary of Changes in this Renewal

## The following changes are being proposed as part of this renewal:

## Increasing the number of participants that can be served.

## Updating the operational and administrative processes that are detailed in the waivers to reflect current procedures and systems.

## Updating data sources and sampling approaches for several performance measures.

## Clarifying the sources for several provider rates.

## Changing pronouns throughout to be gender neutral.

## Summary of Proposed Changes in this Renewal

The following changes to waiver services are being proposed as part of this renewal:

* Increasing the 5-year limit from $15,000 to $50,000 for the Home Modifications and Adaptations service.
* Increasing the 5-year limit from $15,000 to $25,000 for the Vehicle Modification service.
* In the IS Waiver - establishing *Placement Services (Shared Living) - 24 Hour Supports* as its own service, separated out from *Residential Habilitation*.

## Summary of Proposed Changes in this Renewal

* The following changes are being proposed to reflect changes related to the Disabled Persons Protection Commission (DPPC):
* Updating the waiver to indicate that the state now maintains an abuse registry through the establishment of the DPPC registry of care providers against whom DPPC has made a substantiated finding of registerable abuse.
* Describing the processes for meeting the state’s requirements of screening of individuals through this DPPC registry.
* Incorporating language requiring providers to comply with DPPC abuse registry requirements in accordance with 118 CMR 15.00: Department and Employer Registry-related Hiring and Retention Procedures.
* Adding exploitation and deaths to the list of critical events and incidents that DDS reports to the DPPC.

## Summary of Proposed Changes in this Renewal

The following changes are being proposed to reflect the utilization of Positive Behavior Supports in these waivers:

* Adding language to describe DDS utilization of PBS:
	+ PBS is a systemic, person-centered approach to understanding the reasons for behavior and applying evidence-based practices for prevention, proactive intervention, teaching and responding to behavior, with the goal of achieving meaningful social outcomes, increasing learning and enhancing the quality of life across the lifespan.
	+ System-wide PBS is utilized to assure the dignity, health, and safety of participants and utilization only of procedures which have been determined to be the least restrictive or least intrusive alternatives.
* Introducing the PBS Qualified Clinician as a provider with roles and responsibilities in the utilization of PBS.
* Adding and defining PBS Qualified Clinician into the service definition and provider qualifications for the Behavioral Supports and Consultation service.

## Process: HCBS Waiver Renewal

1. DDS and MassHealth collaborate to identify updates
2. Gather public input
3. Review public comments and make additional revisions to renewal applications where appropriate
4. Request CMS approval
5. Implement updates when waiver renewal authorization period begins

## Timeline

Request approval from CMS at least three months prior to desired effective date

## Target submission date

March 2023

## Target effective date

July 1, 2023

## Public Comment: EOHHS requests public input

* Last day to submit comments: **January 20, 2023**
* Comments can be submitted vis email or mail to EOHHS:
	+ Email: HCBSWaivers@mass.gov (Please state “DDS Adult ID Waiver Renewal Comments” on the subject line)
	+ Mail: HCBS Waiver Unit, Executive Office of Health and Human Services, RE: DDS Adult ID Waiver Renewal Comments, 1 Ashburton Place, 5th Floor, Boston, MA 02108
* Application with the proposed amendments and this presentation are posted online:
	+ <https://www.mass.gov/info-details/home-and-community-based-services-waiver-renewal-and-amendment-applications-public>
* Hard copies of the application with proposed amendments available upon request. Email request to HCBSWaivers@mass.gov (Please state “DDS Adult ID Waiver Renewal Comments” in the subject line)

## Public Comment: Oral Comment at Today’s Listening Session

* Share your input with us today
* Please state your name and affiliation (e.g., waiver participant, family member, waiver service provider, etc.)
* Oral comment at today’s session does **not** need to be submitted in writing
* If you wish to provide comments but are unable to do so during today’s session, please email your comments to HCBSWaivers@mass.gov (Please state “ID Waiver Comments” in the subject line) **January 20, 2023.**

***Thank you!***