



**ROBERT G. (BOB) BETHELL JOINT COMMITTEE ON HOME AND  
COMMUNITY BASED SERVICES AND KANCARE OVERSIGHT**

**April 28, 2015**

**Home and Community Based Services (HCBS)  
Program Update**

Presented by:

Kari Bruffett, Secretary

Kansas Department for Aging and Disability Services

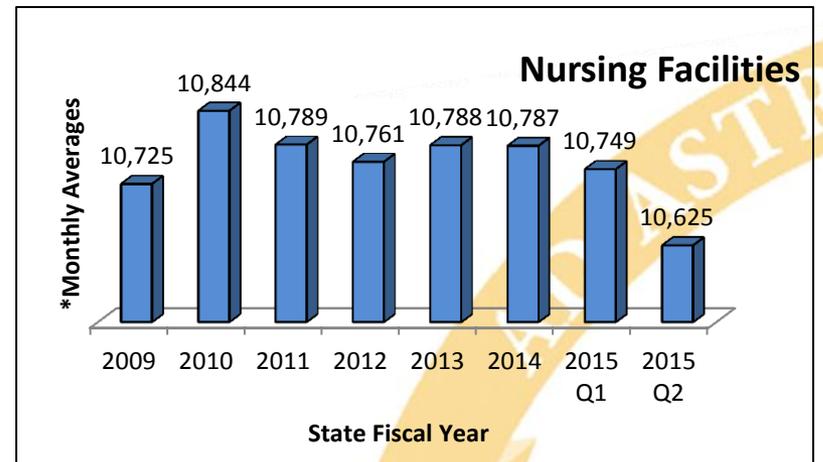
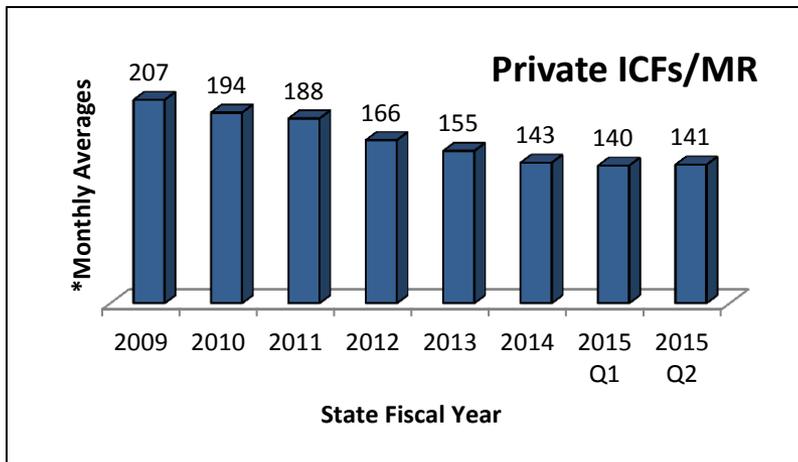
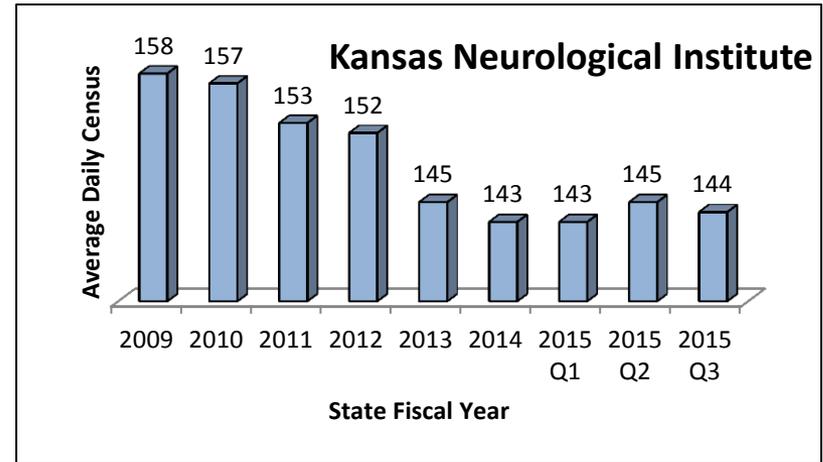
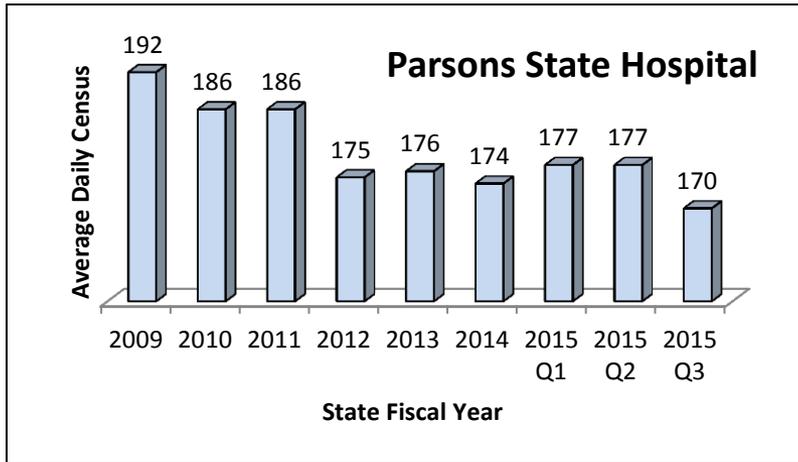
# Average monthly caseload for State Institutions and Long-Term Care Facilities

Eligibility Caseload				
Monthly Averages*	SFY 2013	SFY 2014	SFY 2015 – Q1	SFY 2015 – Q2
<b><u>I/DD Institutional Settings and Waiver Services</u></b>				
Private ICF/MRs	155	143	140	141
State DD Hospitals - SMRH	318	322	317	319
Money Follows the Person (MFP) - DD	31	25	24	23
I/DD Waiver Services	8,606	8,704	8,715	8,745
<b><u>FE / PD / TBI Institutional Settings and Waiver Services</u></b>				
Nursing Homes	10,788	10,787	10,749	10,625
MFP FE	37	33	42	46
MFP PD	148	116	122	127
MFP TBI	14	13	10	9
Head Injury Rehabilitation Facility	37	27	31	34
FE	5,495	5,316	5,258	5,207
PD	5,953	5,547	5,356	5,313
TBI	584	609	538	520

Source: Medicaid eligibility data as of April 21, 2015. The data includes people coded as eligible for services or temporarily eligible.

\*Monthly averages are based upon program eligibility.

# Average Census for State Institutions and Long-Term Care Facilities

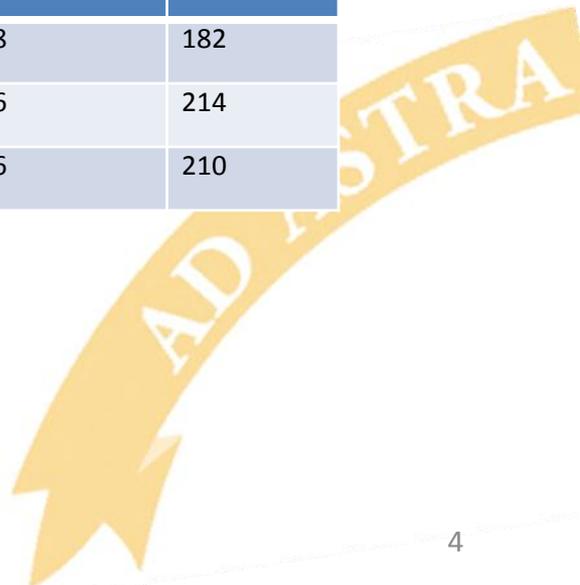


\*Monthly Averages are based upon Medicaid eligibility data

# Money Follows the Person

The number of individuals who are transferred from nursing facilities to HCBS through the money-follows-the-person program.

MFP Program Transitions	<u>FE</u>	<u>IDD</u>	<u>PD</u>	<u>TBI</u>	Total
CY 13 Actuals	35	29	110	8	182
CY 14 Actuals	53	18	137	6	214
CY 14 Target	53	19	132	6	210



# Waiver Renewal Updates

## Traumatic Brain Injury (TBI), Physically Disabled (PD), Frail Elderly (FE), and Intellectual/Developmental Disability (I/DD) Waiver Renewals

- CMS granted an additional temporary extension
- KDADS is responding to formal requests for additional information

### All HCBS Waivers will include:

- The HCBS Final Rule – Transition Plan, Person-Centered Planning, and Conflict Free issues
- Proposed Changes to the waiver services or supports

## HCBS Transition Plan

- **Submitted:** March 17, 2015 (Statewide Transition Plan)
- Provider Self-Assessment survey will be provided to start the assessment process in May 2015

## SED Program Renewal

- Waiver and Summary of proposed changes to the waiver will be posted online May 1, 2015
- **Public Notice:** Online at [www.kdads.ks.gov](http://www.kdads.ks.gov), in print in KS Register by May 1<sup>st</sup>, at public sessions
- **Public Comment Period:** May 1, 2015 to May 31, 2015
- **Summary of Public Comments** – Public Comments and the State's response to the proposed changes will be available at [www.KDADS.ks.gov](http://www.KDADS.ks.gov) in June 2015

**Note:** Autism has a renewal due to CMS by September 30, 2015. Additional public information sessions regarding these programs will be held in 2015 for the renewal.

# HCBS Transition Plan – Overview

## HCBS Provider Assessment

Jan - Jun 2015

## Transition Plan-Update

July - Dec 2015

## Compliance/ Transition

Jan 2016 - Dec 2018

### Phase I

- Consumer Survey
- Provider Assessment
- Peer Reviews

### Phase II

- Assessment Summary
- Update Transition Plan
- Public Engagement

### Phase III

- Compliance with Final Rule
- Heightened Scrutiny - CMS
- Transition to HCBS setting

#### Assessment of Compliance

- Residential & Non-residential settings will be assessed
- Review compliance with the CMS Final Rule for HCBS
- Propose changes to statutes or regulations related to new rule
- Settings must:
  - Have characteristics of home and community based settings
  - Offer choice, provide access to services, support independence
  - Provide services based on the individual's service plan of care

#### Revision of the Transition Plan

- Residential & Non-residential settings will be assessed
- Amend waiver with new deadlines
- Settings will be categorized:
  - **Compliant** – meets new rule
  - **Remedial** – meets basic characteristics, and can come into compliance with new rule
  - **Heightened Scrutiny** – non-compliant and requires CMS approval for HCBS
  - **Non-HCBS** – institutional or cannot comply with new rule

#### Compliance & Transitions

- Providers will be notified of their status and timelines for improvement in 2016
- Regulations, statutes and policy by 2017
- Develop compliance/quality scorecard
- Provide transition timeframe and expectations for compliance timelines
- Compliance Timelines:
  - **Compliant** – all provider settings by 2019
  - **Remedial** – timelines to comply by 2017 and be reassessed for compliance
  - **Heightened Scrutiny** – CMS review (2016)
  - **Non-HCBS** – notification, terminations, and transitions by 2019

# “Systems at Work” Educational Summit

- ❑ Some of the topics of interest included the HCBS Final Setting Rule Assessment, Self-Direction, Guardianship, Employment Programs, Health Homes, MFEI Assessment, APS/CPS, Social Security Disability/PMDT, Medicaid Fraud and more.
- ❑ KDADS held an HCBS Educational Summit for HCBS consumers, family members, providers, and professionals. The Educational Summit was a NO COST event that gave the public the opportunity to learn more about HCBS topics and programs.
- ❑ Some of the topics of interest included Nurse Delegation and Practice Act, the HCBS Final Setting Rule Assessment, Self-Direction, Guardianship, Employment Programs, Health Homes, MFEI Assessment, APS/CPS, Social Security Disability/PMDT, Medicaid Fraud, and more!
- ❑ Attendees had the opportunity to meet with MCO representatives to discuss benefits and concerns.

**Dates:** April 13<sup>th</sup> from 12:00 pm to 5:00 pm; April 14<sup>th</sup> from 9:00 am to 4:30 pm

**Where:** Topeka Capitol Plaza

**Who:** Consumers, family members, providers, nurses, social workers, lawyers, and other stakeholders

**How Many:** 700+ Attendees

**Sessions:** 117 Sessions about a variety of topics

**Response:** Overwhelmingly Positive Response to do this again

Presentations available at [www.kdads.ks.gov](http://www.kdads.ks.gov) on the Home and Community-Based Services Programs Page

