

KANSAS HCBS WAIVER AMENDMENTS PACKAGE 2020

SUMMARY

I. SUMMARY DOCUMENT

A. Unbundling Assistive Service

The Kansas Department for Aging and Disability Services, KDADS, is submitting an amendment to the 1915(c) Waiver for the Brain Injury program.

The proposed effective date of the amendment is 05/01/2021.

Purpose of the Amendment:

The purpose of this amendment is to unbundle Assistive Services as it currently stands in the Kansas 1915(c) HCBS FE, I/DD, PD, TA waivers replacing the service with the following services: Durable Medical Equipment (DME), Vehicle Modification, and Home Modifications as separate waiver services. This change is consequent of a recent interpretation by CMS of the 42 CFR 441.301(b)(4) requirement that multiple services that are generally considered to be separate services may not be consolidated under a single definition, as applicable to Assistive Services.

B. Standardizing Performance Measures

The purpose of this amendment is to standardize the performance measures in all Kansas 1915(c) HCBS waivers. Please see the amendment document for a summary of the proposed standard performance measures.

C. Requiring a Provisional Plan of Care

CMS requires that functional and financial eligibility, as well as a plan of care, be in place before HCBS waiver services can be paid. A Provisional Plan of Care allows for this requirement to be met, expediting the HCBS approval.

This amendment applies to all Kansas 1915(c) HCBS waivers. It requires functional eligibility assessing entities in the state to provide the State Medicaid Agency with a provisional plan of care and any other required documentation prior to HCBS authorization. The state may create and circulate a fillable template to all HCBS waiver functional eligibility assessing entities for the purpose of completing a provisional plan of care at the time of assessment.

D. Authorizing Residential Services for Married Couples On I/DD Waiver

This amendment applies to the Kansas 1915(c) HCBS I/DD waiver. It allows married I/DD Waiver participants to both receive residential services in the same home.

The amendment adds an exception to the definition of family. In the proposed amendment, the definition of a Family is as follows:

Family, in this service, is defined as any person immediately related to the participant, such as parents/legal guardian, spouse, siblings, adult children, aunts, uncles, first cousins, and any step-family relationships, with the exception of a spouse also receiving HCBS I/DD waiver services.

- *A legally married couple, both participants of the HCBS I/DD waiver services, may both receive residential services in the same home.*

E. Amendments To Specialized Medical Care (SMC) Time Limits

This amendment applies to the Kansas 1915(c) HCBS I/DD and TA waivers. The amendment adds an exception to the daily limits of Specialized Medical Care (SMC), allowing the managed care organizations in the state to authorize more units for SMC based on participants' PCSP.

1. Specialized Medical Care services are limited to a maximum of twelve hours per day or 1448 units per month. One unit is equal to 15 minutes.
 - a. The MCO may authorize more units, exceeding this limit, based on the person-centered needs.

F. Revising Day Services Definition to Pre-Renewal Definition

This amendment applies to the Kansas 1915(c) HCBS I/DD waiver. It changes the definition of Day Services to the definition of the service as of March 2016 while the state draws up a plan