



KDADS STANDARD POLICY

Policy Name:	Physical Disability Waiver Transitions	Policy Number:	E2019-008
Commission:	Community Services and Programs Commission	Date Established:	1/14/2019
Applicability:	PD and FE Waivers	Date Last Revised:	
Contact:	HCBS Transition Specialist	Date Effective:	1/14/2019
Policy Location:	http://www.kdads.ks.gov/commissions/home-community-based-services-(hcbs)/hcbs-policies	Date Posted:	1/14/2019
Status/Date:	Final/1.14.2019	Number of Pages:	4
Revision History			

Purpose

This policy establishes the process and procedures to conduct approved transitions from the HCBS 1915(c) Physical Disability (PD) to the Frail Elderly (FE) waiver.

Summary

This policy establishes the process and procedures for transitions from the PD waiver to the FE waiver. This will ensure access to the waiver program services that best meet the assessed needs of the individual.

Entities/Individuals Impacted

- **Functional Eligibility Contractor (Assessing Entity)**
- **Home and Community Based Services (HCBS) Waiver Participants**
- **KanCare Clearing House**
- **Kansas Department for Aging and Disabilities (KDADS)**
- **Kansas Department of Health and Environment (KDHE)**
- **Managed Care Organizations (MCOs)**

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I. Policy

- A. Transitions from PD to FE waivers shall be:
 - a. Based on the choice and identified support needs of the individual being served
 - b. Consistent with the applicable, current, approved 1915 (c) waiver
 - c. For individuals actively receiving HCBS waiver supports
- B. Refer to the PD and FE waiver eligibility policies for eligibility requirements.
- C. An individual who is requesting to transition to the FE waiver shall have a current PD assessment.
- D. A functionally and programmatically eligible PD waiver participant shall have the choice to remain on the PD waiver or transition to the FE waiver upon turning age 65.
- E. If a current PD participant does not meet PD functional or programmatic eligibility criteria, excluding age, they shall not be eligible to transition to the FE waiver.
- F. The MCO shall submit all required documentation to the HCBS Transition Specialist a minimum of thirty (30) day prior to the target transition date.
- G. Individuals transitioning from the PD waiver to the FE waiver shall bypass the waiting list if one exists.

II. Procedures

- A. A functionally and programmatically eligible PD waiver participant shall have the choice to remain on the PD waiver or transition to the FE waiver upon turning age 65.
 - 1. In the event the individual does not wish to transition to the FE waiver at age 65, the individual must continue to meet functional and program eligibility requirements for the PD waiver, excluding the age requirement.
- B. The MCO shall provide the individual with the option to remain on the PD waiver or to transition to the FE waiver.
- C. The MCO shall document the individual's choice to transition to the FE waiver on the HCBS Referral and Notification form.
- D. In the event an individual wishes to transition to the FE waiver, the MCO shall educate the individual on the following differences between the PD and FE waivers:
 - 1. Differences in services

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2. Differences in reimbursement rates for direct service workers
3. Differences in value-added services

E. The MCO shall submit a completed HCBS Referral and Notification form to the HCBS Transition Specialist.

F. The HCBS Transition Specialist shall review the HCBS Referral and Notification form to ensure all required information is included.

G. The HCBS Transition Specialist shall review the KDADS system of record and ensure that the individual meets the established PD waiver eligibility criteria.

H. The individual shall have a current PD functional assessment.

1. In the event the individual does not have a current PD functional assessment the HCBS Transition Specialist shall send a 3160 to the assessing entity requesting a PD functional assessment.

a) The assessing entity shall complete the PD functional eligibility assessment.

b) In the event the individual is found functionally eligible for the PD waiver, the assessing entity shall complete the applicable sections of the 3160 and email it to the HCBS Transition Specialist.

c) In the event an individual is not functionally eligible for the PD waiver the assessing entity shall complete the applicable section of the 3160 indicating the individual is not functionally eligible and email it to the HCBS Transition Specialist.

- i. The HCBS Transition Specialist shall send a Notice of Action (NOA), including appeal rights, to the individual and the MCO.

I. In the event the individual meets the established PD eligibility criteria, the HCBS Transition Specialist shall review the KDADS system of record to determine if the individual meets the established waiver eligibility criteria for the FE waiver.

1. Transitions from the PD waiver to the FE waiver only require a current PD functional assessment. The individual shall not be required have a FE functional eligibility assessment.

J. The HCBS Transition Specialist shall complete the KDADS Review and Determination sections of the HCBS Referral and Notification form and send it to the MCO and the FE Program Manager.

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K. The MCO shall send a Notice of Action (NOA), including appeal rights, to the individual notifying them of PD closure and the start of FE services.

III. Documentation

The HCBS Referral and Notification form shall be used to facilitate and document transitions from the PD waiver to the FE waiver.

III. Definitions

Functional Eligibility- The level of care criteria, determined by the functional eligibility instrument, that permits entrance onto the 1915(c) HCBS waiver.

Program Eligibility- The criteria established in the 1915(c) HCBS waiver that is required for participation in the waiver program. Program eligibility includes criteria such as age, residency, etc.

Authority

1915 (c) HCBS Waiver

KS.0303.R04.01 (FE)

KS.0304.R04.01 (PD)

Federal Authority

42 CFR §440.10

42 CFR §440.150

42 CFR §440.155

42 CFR §440.160

42 CFR §440.4

Related Information

FE Eligibility policy

PD Eligibility policy

Autism, Frail Elderly, Physical Disability, Technology Assisted and Traumatic Brain Injury Person-Centered Service Plan policy