



CHANGING
Maryland
for the Better

Maryland's State Transition Plan Update

*A Partnership for better communication on
developmental disability services in Maryland*

Public Meetings

Presented: Sept 12, 2016, Sept 19, 2016, Sept 26, 2016 and Oct 3, 2016



MARYLAND
DEPARTMENT OF HEALTH
& MENTAL HYGIENE

Agenda

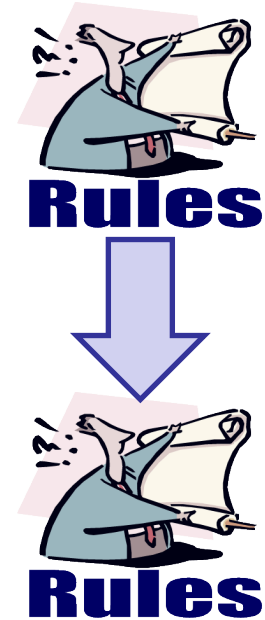
- Background
- State Transition Plan - Community Pathways Highlights
- Remediation Strategies Highlights
- Public Input Timeline and Process
- Questions

Slide #2





DDA's
Community
Pathways
Services
Medicaid
Budget Flow



Slide #3



Background

- Home and Community- Based Community Setting Rule
 - CMS issued this final rule on January 16, 2014
 - It became effective on March 17, 2014
 - The rule lists many items providers must comply with to receive Medicaid payment under federal home and community based services waivers
 - Requirements must be met by March 2019

Reference: CMS webpage:

<https://www.cms.gov/Newsroom/MediaReleaseDatabase/Fact-sheets/2014-Fact-sheets-items/2014-01-10-2.html>

Slide #4



Background

- Home and Community- Based Community Setting Rule
 - The rule affects all individuals currently receiving services, including those self-directing under Community Pathways

Slide #5



Background

- Intent of the Community Settings Rule
 - Ensure individuals receiving services through home and community-based service programs have full access to the benefits of community living
 - Enhance the quality of home and community-based service programs and provide protections to participants

Slide #6



Background

- All HCBS settings must:
 - ✓ Be integrated in and support full access to the community
 - ✓ Support people in seeking employment in integrated settings
 - ✓ Be picked by the individual from among different options

Slide #7



Background

- All HCBS settings must:
 - ✓ Protect individual rights of privacy, respect, and freedom from bullying and restraint
 - ✓ Increase freedom and independence in making life choices
 - ✓ Support choice in picking services and providers

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What is a State Transition Plan (STP)?

- A State Transition Plan (STP) is a document that outlines a state's plan to meet the new federal community settings rules
- Sometimes referred to as the "STP"
- Every state that provides home and community-based Waivers services must have an *approved* STP by the federal Center for Medicare and Medicaid Services (CMS)

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What is a State Transition Plan (STP)?

- The State Transition Plan (STP) includes:
 - **Section #1 - Description** of the state's various home and community based services waivers
 - ✓ Service delivery system assessment
 - ✓ Systemic (regulations, policies, forms, processes)
 - ✓ Provider self-assessment
 - ✓ Participant experience
 - ✓ Validation
 - ✓ Quality and Ongoing Monitoring

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What is a State Transition Plan (STP)?

- The State Transition Plan (STP) includes:
 - **Section #2 Remediation Strategies**
 - ✓ Topic/Descriptions
 - ✓ Remediation Strategy
 - ✓ Timeline for completion
 - ✓ Milestone
 - ✓ Monitoring

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What is a State Transition Plan (STP)?

- The State Transition Plan (STP) includes:
 - **Section #3 Public Input and Comments**

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Background

- Maryland State Transition Plan
 - Drafted January 8, 2015
 - Submitted to CMS March 2016
 - Updated August 2016

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Community Pathways Update - Highlights

- **Preliminary Findings Updates** (page 23)
 - Provider and National Core Indicator (NCI) data updates
 - Added Employment data
 - Independent Reviews updated
 - Added Transition Advisory

SECTION #1

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Community Pathways Update - Highlights

SECTION #1

- **Tiered Standards** *(New) (page 27)*
 - Establishment of stakeholder group to help with the development of DDA tiered standards
 - States may establish that certain settings currently in use may continue within the waiver, as long as they will be able to meet the minimum standard set in the rule by March 2019
 - States may also establish or promote new models of service with higher standards

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Community Pathways Update - Highlights

SECTION #1

- **Heightened Scrutiny** (*New*)
 - If a state identifies settings that are presumed to have the qualities of an institution such as characteristics that isolate people, the state is obligated to identify them in the Statewide Transition Plan
 - The settings regulations require that, in order to overcome the presumption that a setting has the qualities of an institution, CMS must determine that the setting:
 - ✓ Does not have the qualities of an institution and
 - ✓ Does have the qualities of a home and community-based setting

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Community Pathways Highlights

SECTION #1

- **Heightened Scrutiny** *(New) (page 28)*
 - Maryland will identify settings that may appear to have qualities of an institution or appear to be isolating individuals from the community
 - DDA's heighten scrutiny reviews include:
 - ✓ Person Centered Plans
 - ✓ Provider Self-Assessments
 - ✓ On Site Assessments
 - ✓ Provider Transition Plan

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Community Pathways Highlights

SECTION #1

- **Heightened Scrutiny** *(New) (page 28)*
 - Assuming the provider wants to and is able to comply with the HCBS rule before March 2019, Maryland will require heighten scrutiny for the following settings, but not limited to:
 - ✓ Sheltered workshops
 - ✓ Farmsteads
 - ✓ Licensed residential sites in close proximity (e.g. next door or multiple homes on a cul-de-sac)

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Community Pathways Highlights

SECTION #1

- **Provider Self-Assessments** (*New*) (page 28)
 - Non-Residential Provider Self-Assessments (*Day providers*)
 - Residential Provider Self-Assessments

- **Participant Assessments** (*New*) (page 30)
 - *Community Settings Questionnaire*
 - *CCS complete during quarterly visits and then annually*

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Community Pathways Highlights

- **Validation of Findings and Settings Inventory – On Site Assessments** (*New*) (*page 30*)
 - Medicaid Provider Revalidation
 - DDA Site Specific Assessments
- **DDA Oversight Process/Quality Assurance** (*page 31*)
 - *DDA Quality Enhancement Director Responsibility*
 - *DDA Quality Advisory Council*

SECTION #1

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Community Pathways Highlights

SECTION #2

- **Remediation Strategies Highlights** (*page 57*)
 - Updated language for Transition Teams (*page 60*)
 - Added link to Group Home Moratorium Memos (*page 60*)
 - Lease or Other Legally Enforceable Agreement standards to be shared in 12/2017 (*page 61*)
 - Initial Provider Survey Result Milestone Link (*page 62*)
 - Provider Transition Symposium Milestone Link (*page 62*)

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Community Pathways Highlights

SECTION #2

- **Remediation Strategies Highlights** *(continued)*
 - Waiver Amendment #1 Milestone Link (page 63)
 - Provider Enrollment Process Milestone Link (page 63)
 - Initial Provider Surveys Milestone Link (page 64)
 - *New Tiered Standards Strategy* (page 65)
 - On-Site Specific Assessments completion date changed from 8/2016 to 12/2017 (page 66)
 - *New Heightened Scrutiny Strategy* (page 66)
 - Participant Transitions completion date changed from 3/2019 to 1/2019 (page 68)

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Information and Input

- DHMH is interested in your input on the State Transition Plan
- Open for new public comments until **October 31, 2016**.
- Please direct your comments to the following:
 - ✓ Office of Health Services, Department of Health and Mental Hygiene, 201 W. Preston Street, Baltimore, Maryland 21201
 - ✓ **410-767-1820*** or
 - ✓ dhmh.hcbssetting@maryland.gov

Note: Slide Revised 9-16-16

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Questions



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