DEVELOPMENTAL DISABILITIES ADMINISTRATION

Family Supports, Community Supports, and Community Pathways Amendment #2 2019 Webinar

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June 14, 2019

MARYLAND Department of Health

Developmental Disabilities Administration

Welcome

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Today's Purpose

- To share the purpose of Waiver Amendments #2 2019
- To share examples of language being added for Amendment #2 2019
- To share components being considered for new rates under the fee-for-service payment system
- To share information related to the public comment process

Developmental Disabilities Administration

- We believe that ALL people have the right to live, love, work, learn, play and pursue their life aspirations in the community
- We partner with people with developmental disabilities and families to provide support and resources to live fulfilling lives
- We provide a coordinated service delivery system to enable children and adults with intellectual and developmental disabilities and families to work toward self-determination, interdependence, productivity, integration, and inclusion in all facets of community life across their lifespans
- We are one of many resources, services and supports available to assist individuals and families as they build their lives toward their vision of the "Good Life"

What are the DDA Waivers?

The Developmental Disabilities Administration administers the following Waiver Programs on behalf of Maryland Medicaid:

Family Supports Waiver (FSW)	Community Supports Waiver (CSW)	Community Pathways Waiver (CPW)
• Children birth to 21 years • Various Support Services • Service Cap of $12,000 annually	• Children and adults • Meaningful Day and Support Services • Service Cap of $25,000 annually	• Children and adults • Meaningful Day, Support, and Residential Services

Medicaid Waiver Application Components

Main	Purpose of HCBS Waiver Program, Amendment, and Transition Plan
Appendix A	Waiver Administration and Operations
Appendix B	Participant Access and Eligibility (Target group, number of participants, Medicaid eligibility, and LOC)
Appendix C	Participant Services (Scope, requirements, limits, service delivery models, and provider qualifications)
Appendix D	Participant-Centered Service Planning and Delivery
Appendix E	Participant-Direction of Services
Appendix F	Participant Rights (Medicaid Hearing, CRC, and Complaints)
Appendix G	Participant Safeguards (Medications, Restraints, Restrictions)
Appendix H	Quality Improvement Strategy
Appendix I	Financial Accountability (Payment methods, Audits)
Appendix J	Cost-Neutrality Demonstration

Note: Only the highlighted appendices are effected by Amendment #2

Maryland's Long-Term Services and Supports System

Transition of DDA's current information technology platform to the Maryland Medicaid Long-Term Services and Supports (LTSSMaryland) System

- Release 1—July 1, 2018
  - Intake and Eligibility, Waiting List, Case Management, Person Centered Plan
- Release 1.1 – September 2018
  - Additional Case Management Reporting
- Release 1.2 – July 2019
  - Detailed service authorization for all waiver services
- Release 2—July 2020
  - Billing for community-based services

LTSS Implementation

Release 2.0 –July 2020

- Key Dates:
  - December 2019 – Pilot Implementation
  - January 2020 – Service Providers will be able to view and approve PCP's
  - July 2020 – Fully operationalize use of LTSS by Service Providers to view, accept service referrals, and bill for services
- Major Functionality
  - PCP electronic acceptance by service providers
  - Service activity entry for billing

LTSS Implementation

Release 2.0 Billing Pilot - December 2019

- Objectives
  - Test full billing functionality in LTSS and Medicaid Management Information System (MMIS) prior to it going live for all providers to ensure fiscal payment strategy build within LTSS functional and reduce risk of payment issues
  - Keep the pilot small to ensure that there are adequate resources to quickly resolve issues, if they arise
- To support this billing pilot, legislation was introduced and passed during the 2019 Legislative Session

Amendment #2 2019

Purpose

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Purpose

- To update terminology related to the self-directed service delivery model in Appendix E
- To expand *Individuals and Family Directed Goods and Services* to include therapeutic interventions to maintain or improve function including art, music, and dance therapies in Appendix C
- To add self-direction employer authority to *Employment Services* in Appendix E *(Note: Community Supports and Community Pathways only)*

Purpose

- To clarify age requirements for meaningful day services (i.e. *Supported Employment*, *Employment Discovery and Customization*, *Employment Services*, *Day Habilitation*, *Career Exploration*, *and Community Development Services*)
  - Age requirements will specify these services are for participants 18 years of age or older and no longer in high school as noted in Appendix C *(Note: Community Supports and Community Pathways only)*

- To clarify *Environmental Modifications* do not include elevators in Appendix C

Purpose

- To clarify tuition includes post-secondary credit and noncredit courses in Appendix C

- To describe the three levels of *Shared Living* services in Appendix C *(Note: for Community Pathways only)*

- To clarify specific services that support community integration and engagement shall not include disability-specific classes, activities, events, or programs

Purpose

- To outline the transition strategy for new services, rates, and fee-for-service billing process within Maryland's Long-Term Services and Supports (LTSSMaryland) system which will start with a small group as noted in the Attachment #1: Transition Plan

Purpose

- To update information and add new procedure codes and associated rates for services including:
  - *Day Habilitation* (Small and Large Groups)
  - *Community Living – Group Homes* (Dedicated Supports 1:1 and 2:1)
  - *Supported Living* – (Dedicated Supports 1:1 and 2:1)
  - Enhanced *Personal Supports* rate for people with complex health and/or behavioral needs in Appendix I and J
  - *Shared Living* (i.e. Level 1, 2, and 3)

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Language Proposal Examples

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Track Change Documents

Appendix E-1: Overview

a. **Description of Participant Direction.** In no more than two pages, provide an overview of the opportunities for participant direction in the waiver, including: (a) the nature of the opportunities afforded to participants; (b) how participants may take advantage of these opportunities; (c) the entities that support individuals who direct their services and the supports that they provide; and, (d) other relevant information about the waiver's approach to participant direction.

The DDA has established a service delivery model in which a participant may direct his or her own services or appoint a legal guardian, designated representative to direct on their behalf known as the Self-Directed Service Model. The DDA offers the Self-Directed Service Model for participants, or their designated representative, capable of making informed decisions regarding how services are provided such that there is: (1) no lapse or decline in the quality of care; and (2) no increased risk to the health or safety of the participant.

(a) **Nature of Opportunities Afforded to Participants under the Self-Directed Service Model**

Under the Self-Directed Service Model, a participant, or his/her designated representative will have Employer and Budget Authorities over specific services as the employer of record. This includes the rights and obligations of an employer under applicable federal, State, and local law and regulations. In addition, the participant, legal guardian, or his/her designated representative (as applicable) will have the responsibility and authority to manage his or her approved annual budget.

In the Self-Directed Service Model, participants or his/her designated representative will have opportunities to:

1. Identify goals to support a trajectory for a good life in consideration of the LifeCourse Framework;
2. Choose, set wages (within reasonable and customary range) and the DDA-approved annual budget, and schedule workers,
3. Train, manage, and discharge workers;
4. Identify needed supports and services to support their Person-Centered Plan (PCP) in accordance with their approved annual budget;

State:	

Appendix E

A. FMS assists the participant, legal guardian, or designated representative (as applicable) to:
   1. Manage and direct the disbursement of funds contained in the approved ~~participant~~self-directed budget;
   2. Facilitate the employment of staff by the participant, legal guardian, or designated representative (as applicable), by performing as the participant's agent to verify employee and vendor ~~such employer responsibilities as verifying provider~~ qualifications, processing payroll, withholding Federal, State, and local tax and making tax payments to appropriate tax authorities; and
   3. Perform fiscal accounting and ~~make~~ disseminate expense~~expenditure~~ reports to the participant or family and State authorities.

B. Employer Authority tasks such as:
   1. Assisting the participant in verifying workers' citizenship or legal alien status (e.g., completing and maintaining a copy of the BCIS Form I-9 for each support service worker the participant employs);
   2. Assisting the participant to verify provider certifications, trainings and licensing requirements;
   3. Conducting criminal background checks;
   4. Collecting and processing timesheets or invoices of employees or vendors~~support workers~~;
   5. Operating a payroll service, (including process payroll, withholding taxes from workers' pay, filing and paying Federal (e.g., income tax withholding, FICA and FUTA), state (e.g., income tax withholding and SUTA), and, when applicable, local employment taxes and insurance premiums; and
   6. Distributing payroll checks, vendor payment, and mileage reimbursements.

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Self-Directed Terminology

- "In addition, the participant, *legal guardian*, or his/her designated representative (as applicable) will have the responsibility and authority to manage his or her approved annual budget."
- "Use a Support Broker *as an optional service* to assist with employer responsibilities and a Fiscal Management Services provider (FMS) to assist with budget and payment responsibilities."
- "Processing and paying invoices ~~*for goods and services*~~ for approved ~~*in the*~~ services in the (PCP) ~~*plan*~~; and"
- "Distributing payroll checks*, vendor payment, and mileage reimbursements."*

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Self-Directed Terminology

- "A dollar value will be assigned to the ~~*plan*~~ PCP using the Traditional Service delivery model. *The person can then determine pay rates based on reasonable and customary program standards*."

- "MSFPR forms are completed to reflect the proposed service change which is then submitted to DDA Regional Office for review. If approved, the revised PCP and self-directed budget is submitted to the team and FMS. *In July 2020, changes will be requested by submitting a revised PCP within the LTSSMaryland system*."

Amendment #2 2019

Individual and Family Directed Goods and Services

- Expansion of covered items as noted in Appendix

"The goods and services may include:

1. Fitness memberships
2. Fitness items that can be purchased at most retail stores
3. Toothbrushes or electric toothbrushes
4. Weight loss program services other than food
5. Dental services recommended by a licensed dentist and not covered by health insurance;
6. Nutritional *consultation* and supplements recommended by a professional licensed in the relevant field and
7. *Therapeutic interventions to maintain or improve function including art, music, dance,* and therapeutic swimming or horseback riding with recommendation from a licensed professional in the relevant field"

Employment Services – Self-Directed Employer Authority

- Employer authority was added for the new *Employment Services* under the self-directed service delivery model as noted in Appendix E

- Employees will need to meet the minimum qualifications including:
  - Be at least 18 years old
  - Have a GED or high school diploma
  - Possess current first aid and CPR certification
  - Pass a criminal background investigation and any other required background checks and credentials verifications as provided in Appendix C-2-a and
  - Have DDA *approved certification in employment to provide Discovery*

Employment Services – Self-Directed Employer Authority

- The DDA will be sharing information with participants self-directing their services regarding ways the DDA can provide support in getting participant's current employee(s) certificated in employment between July 1, 2019 to June 30, 2020 until the new usual and customary rates get updated for July 2020

Meaningful Day Age Requirement

- Language added to clarify age requirements for meaningful day services (i.e. *Supported Employment*, *Employment Discovery and Customization*, *Employment Services*, *Day Habilitation*, *Career Exploration*, *and Community Development Services*)

- *"The participant must be 18 years of age or older and no longer in high school."*

(Note: Community Supports and Community Pathways only)

Environmental Modification

- Language added to clarify *Environmental Modifications* as noted in Appendix C

"B. Environmental Modifications include:

9. Installation of lifts and stair glides *(with the exception of elevators),* such as overhead lift systems and vertical lifts;

G. *Excluded modifications includes elevators*."

Individual Directed Goods and Services

- Language added to clarify tuition includes post-secondary credit and noncredit courses in Appendix C

"F. Individual and Family Directed Goods and Services do not include services, goods, or items:

17. Tuition *including post-secondary credit and noncredit courses*, educational services otherwise available through a program funded under the Individuals with Disabilities Education Act (IDEA), including private tuition, Applied Behavior Analysis (ABA) in schools, school supplies, tutors, and home schooling activities and supplies;"

Shared Living

- Language added to describe the three levels of Shared Living services as noted in Appendix C *(Note: for Community Pathways only)*

"D. Beginning July 1, 2020, the following levels will be used:

1. *"Level 1" - will be used to support participants that do not required continuous supervision and monitoring. These individuals may require prompts to complete activities of daily living and/or assistance with medical appointments and medication. They tend to not have challenging behaviors or a behavior plan in place. They participates in meaningful day services or have a job. They are able to recognize and avoid dangerous situation; and can independently evacuate premises in case of fire, emergencies, etc."*

Shared Living

"2. "Level 2" – will be used to support participants that require an increased level of supervision and monitoring. These individuals requires moderate assistance for mobility support or gets around in a wheelchair and assistance with frequent medical appointments and medications. They may require moderate assistance to complete activities of daily living and may display challenging behaviors requiring a behavior plan. They participates in meaningful day services or have a job. They are not able to recognize and avoid dangerous situation and cannot independently evacuate premises in case of fire, emergencies, etc. therefore, requires prompting to evacuate."

Shared Living

"3. "Level 3" – will be used to support participants that require ongoing supervision and monitoring to mitigate behavioral risk or provide health and safety supports. Requires maximum assistance for mobility support and gets around in a wheelchair or needs adaptive equipment for ambulation. They requires maximum assistance for frequent medical appointments, medications, and specialist or health intervention for health and safety. They have a Health Risk Screening Tool (HRST) score is 5 with a Q indicator that is not related to behavior support. They requires maximum assistance to complete activities of daily living and may display severe challenging behaviors that require a behavior plan. They participates in meaningful day services or have a job with additional supports or dedicated supports (i.e. 1:1, 2:1). They are not able to recognize and avoid dangerous situation and need maximum assistance to evacuate premises in case of fire, emergencies, etc. therefore, requires prompting to evacuate."

Community Integration

- Language added to clarify specific services that support community integration and engagement shall not include disability-specific classes, activities, events, or programs

"B. Community Development Services can be provided in a variety of settings in the community with the exception of disability specific classes, activities, events, or programs."

"Q. Personal Supports can be provided in a variety of settings in the community with the exception of disability specific classes, activities, events, or programs."

"R. Shared Living can be provided in a variety of settings in the community with the exception of disability specific classes, activities, events, or programs.

"K. Supported Living can be provided in a variety of settings in the community with the exception of disability specific classes, activities, events, or programs."

Transition Plan

- Language added to outline the transition strategy for new services, rates, and fee-for-service billing process within Maryland's Long-Term Services and Supports (LTSSMaryland) system which will start with a small group as noted in the Attachment #1: Transition Plan

Transition Plan

Transitions will occur in phases:

- *Transition Phase #1 – Detailed Service Authorization*
- *Transition Phase #2 – Small Group Transition To Fee-for-service*
- *Transition Phase #3 – Shared Living Levels*
- *Transition Phase #4 – Personal Supports – Enhanced Rate*
- *Transition Phase #5 – Full Implementation Of New Services and Rates*

Transition Plan

- *"To support the transition to these changes, the DDA will share information, guidance, and technical assistance with all stakeholders including through the DDA newsletter, transmittals, webinars, and face to face meetings."*

- *"Coordinators of Community Services (CCS) will continue to share information with participants and families about new service opportunities and changes to existing services during their annual person-centered planning process and when new needs arise."*

- *"Waiver service payment will fully transition to the LTSSMaryland system on July 1, 2020."*

Transition Plan

TRANSITION PHASE #1 – DETAILED SERVICE AUTHORIZATION

- *"Beginning July 1, 2019, the Person-Centered Plan (PCP) will include a new detailed service authorization section with all current and new waiver services (i.e. employment services and community living – enhanced supports) and proposed rates to be effective July 1, 2020."*

- *"CCS will facilitate the annual person-centered planning process to identify the appropriate services related to individual goals and outcomes to support the person's self-identified Good Life for services to begin July 1, 2020."*

Transition Plan

TRANSITION PHASE #1 – DETAILED SERVICE AUTHORIZATION

- *"Participants and families can explore various life focus areas (e.g. employment, community development, home and housing, health and wellness, etc.) at any time."*

- *"The Supporting Families Community of Practice Integrated Star is a useful tool for people, families and teams to get a more comprehensive look at all the services and supports that may exist in a person's life; not just eligibility specific supports and to then determine the most appropriate service(s) to support their assessed need(s) from among the new detail service options."*

Transition Plan

TRANSITION PHASE #1 – DETAILED SERVICE AUTHORIZATION

- *"Participants currently receiving Supported Employment will be able to request job development, on-going supports, and/or follow along supports under the new Employment Services based on their assessed needs. Participants interested in Employment Discovery and Customization will also be able to request the discovery service under the new Employment Services. Participant's interested in Self-Employment or Co-Worker Supports will also be able to request these services under the new Employment Service."*

- *"The new PCP detail services authorize including the new Employment Services will begin July 1, 2020 unless the person is included in Transition Phase #2 noted below."*

Transition Plan

TRANSITION PHASE #1 – DETAILED SERVICE AUTHORIZATION

- *"Beginning July 1, 2019, participants self-directing services will be able to request the new Individuals and Family Directed Goods and Services options (i.e. therapeutic interventions to maintain or improve function including art, music, dance therapies) as per the service requirements outlined in Appendix C, regulations, and policies."*

Transition Plan

TRANSITION PHASE #2 – SMALL GROUP TRANSITION TO FEE-FOR-SERVICE

- *"Beginning December 1, 2019, a representative group of participants will be the first transitioned to the new Employment Services, Day Habilitation Service grouping (i.e. small and large groups), Community Living Enhanced Supports, and Support Services outlined within the new PCP detail service authorization."*
- *"This will be done to ensure fiscal payment strategies used within LTSSMaryland are functional. This transition plan will support live testing of the new detailed service authorization and fee-for-service billing functionality in LTSSMaryland and the Medicaid Management Information System (MMIS) prior to implementing these changes. This testing is being done to reduce the risk of payment issues for all participants and providers."*

Transition Plan

TRANSITION PHASE #2 – SMALL GROUP TRANSITION TO FEE-FOR-SERVICE

- *"The group of participants who will test the system will be from different regions and supported by various providers to support the transition to new services and the new fee-for-services payments."*

- *"The initial group size will be small to ensure that there are adequate resources to quickly resolve issues, if they arise."*

Transition Plan

TRANSITION PHASE #3 – SHARED LIVING LEVELS

- *"Participants receiving Shared Living services will transition to the new levels (i.e. Level 1, 2, and 3) in July 2020."*

- *"The participants and their support network (including CCS and service providers) will identify the level of support needed during the annual person-centered planning process to support the person's self-identified Good Life as noted under Transition Phase #1."*

- *"Billing under the new levels will begin July 2020."*

Transition Plan

TRANSITION PHASE #4 – PERSONAL SUPPORTS – ENHANCED RATE

- *"Personal Supports services for individuals with complex medical and/or behavioral needs as indicated in the Health Risk Screening Tool, nursing care plan, and/or behavioral plan will be reimbursed at a higher rate beginning July 2020."*

- *"The participant and their support network (including CCS and service providers) will identify the level of support needed during the annual person-centered planning process to support the person's self-identified Good Life as noted under Transition Phase #1."*

Transition Plan

TRANSITION PHASE #5 – FULL IMPLEMENTATION OF NEW SERVICES AND RATES

- *"Beginning July 1, 2020, all participants will begin to receive their meaningful day services including the new Employment Services and Day Habilitation Service grouping (i.e. small and large groups), residential services including Community Living-Enhanced Supports, and Support Services outlined within the new PCP detailed service authorization."*

- *"All Supported Employment and Employment Discovery and Customization Services will end on June 30, 2020 and the new corresponding services (i.e. Job Development, On-Going, and Discovery) will begin on July 1, 2020 based on the PCP processes."*

Appendix I and J

- New or updated language, users and utilization estimates, and associated rates added for services including dedicated staffing (i.e. 1:1 and 2:1) in Community Living- Group Home and Supported Living services; Shared Living levels; Day Habilitation (small and large groups); and an enhanced Personal Supports rate for people with complex health and/or behavioral needs in Appendix I and J

Appendix I Language Examples

- *"For WYs 3-5, the Respite daily rate has additional 12% G&A for the service to be provided at a licensed site."*

- *"Personal Supports Enhanced Supports- The hourly rate was developed by Optumas, a vendor hired to validate JVGA rates and develop rates for new services. The rate, developed using the Brick method, is based on BLS wage data job code 21-1093 and includes the components ERE 30.1%, Program Support 24.3%, Training 11.7%, Transportation 6.5%, 5% for no show and 12% G&A."*

- *"A 3.5% COLA was also authorized for FY2020."*

Appendix J Language Examples

- *"Personal Supports Enhanced Supports users have been estimated at approximately 3% of estimated users of Personal Supports for Waiver Years 4-5."*
- *"Personal Supports Enhanced Supports is a new service so the average units per user have been estimated at ten hours per week for WYs 4-5."*
- *"Support Broker average units per user has updated in WYs 3-5 to the annual unit limit for the service."*
- *"For Personal Supports Enhanced Supports, the average cost per unit for WYs 4-5 are based on rates from a vendor, Optumas, hired to validate JVGA rates and propose rates for new services. The rate is built using the Brick method and includes the standard cost components common to all social and medical services."*

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Appendix J - Users and Utilization Estimates Examples

Appendix J: Cost Neutrality Demonstration

Appendix J-1: Composite Overview and Demonstration of Cost-Neutrality Formula

Composite Overview. Complete the fields in Cols. 3, 5 and 6 in the following table for each waiver year. The fields in Cols. 4, 7 and 8 are auto-calculated based on entries in Cols 3, 5, and 6. The fields in Col. 2 are auto-calculated using the Factor D data from the J-2d Estimate of Factor D tables. Col. 2 fields will be populated ONLY when the Estimate of Factor D tables in J-2d have been completed.

Level(s) of Care *(specify)*:			ICF/IID				
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Year	Factor D	Factor D′	Total: D+D′	Factor G	Factor G′	Total: G+G′	Difference (Column 7 less Column 4)
1	23,618.70	10,525.77	34,144.47	248,489.81	5,388.26	253,878.08	219,733.61
2	23,656.60	10,873.12	34,529.71	256,689.98	5,576.85	262,266.83	227,737.12
3	28,914.32 - ~~24,201.63~~	11,231.93	40,146.25 ~~35,433.56~~	265,160.75	5,772.04	270,932.79	230,786.54 — ~~235,499.23~~
4	28,270.46 ~~24,808.14~~	11,602.58	39,873.04 - ~~36,410.73~~	273,911.05	5,974.06	279,885.11	240,012.08 — ~~243,474.39~~
5	28,551.82 - ~~24,528.30~~	11,985.47	40,537.29 ~~36,513.77~~	282,950.12	6,183.15	289,133.27	248,595.98 — ~~252,619.50~~

Appendix J-2: Derivation of Estimates

a. **Number Of Unduplicated Participants Served.** Enter the total number of unduplicated participants from Item B-3-a who will be served each year that the waiver is in operation. When the waiver serves individuals under more than one level of care, specify the number of unduplicated participants for each level of care:

Waiver Year: Year 3					
Waiver Service / Component	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5
	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Total Cost
Assistive Technology and Services	Item	5	1	942.54	4,712.70
Behavioral Support Services:					567,722.54 ~~559,531.42~~
Assessment	Assessment	35	1	842.99 ~~830.77~~	29,504.65 ~~29,076.95~~
Plan	Plan	35	1	842.99 ~~830.77~~	29,504.65 ~~29,076.95~~
Consultation	15 minutes	123	66	26.34 ~~25.96~~	213,828.12 ~~210,743.28~~
Brief Supports Implementation	15 minutes	82	192	18.73 ~~18.46~~	294,885.12 ~~290,634.24~~
Community Development Services	Day	62	154	102.11 ~~98.66~~	974,946.28 ~~942,005.68~~
Day Habilitation	Day	248	206	96.95 ~~93.67~~	4,952,981.60 ~~4,785,412.96~~
Employment Discovery & Customization	Day	3	29	82.49	7,176.63
~~**Employment Services:**~~					
~~Discovery~~	~~Milestone~~	~~200~~	~~1~~	~~3,993.67~~	~~798,734.00~~
~~Job Development~~	~~Hour~~	~~200~~	~~45~~	~~66.56~~	~~599,040.00~~
~~Follow Along~~	~~Month~~	~~40~~	~~6~~	~~212.88~~	~~51,091.20~~
~~On-going Job Supports~~	~~Hour~~	~~160~~	~~900~~	~~35.48~~	~~5,109,120.00~~
~~Co-Worker Employment Supports~~	~~Month~~	~~10~~	~~2~~	~~500.00~~	~~10,000.00~~
~~Customized Self Employment Services~~	~~Milestone~~	~~4~~	~~1~~	~~266.24~~	~~1,064.96~~
Environmental Assessments	Assessment	3	1	449.59 ~~419.70~~	1,348.77 ~~1,259.10~~
Environmental Modifications	Item	3	1	6,592.38	19,777.14

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Rate Components

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Rate Study

- During the 2014 Legislative Session, the legislature tasked the DDA with developing and implementing a new funding system
- Transition from prospective payment system to reimbursement model (i.e. fee-for-service model)
- The DDA was required to conduct an independent, cost-driven study, develop and implement a plan, develop a billing and payment system, establish a payment schedule, and consult with stakeholders

Rate Study

- To ensure the design of a fair and equitable rate system, the engagement of individuals in services, family members, advocacy organization, and provider was essential

- Two workgroups were formed
  - The first focused on technical aspects of the study and included a cross section of community-based service providers
  - The second focused on how the rate can affect the quality of services and was composed of individuals in services, family members, and advocacy organizations

- Both groups contributed valuable input through face-to-face meetings and conference calls

Rate Study

- Rates for new services were developed using the Brick™ Method
  - Federally recognized system approach to development of rates for difference services
- Identifies and analyzes groups of costs referred to as "components"
- Bricks developed at individual service level to select appropriate components
- The foundation of the Brick is direct support staff wage
- Bricks adjusted for service interruption when applicable
  - Program closures (e.g. weather-related closings)
  - No-Shows (i.e. person refuses service)

Rate Study

Components of Brick

- Direct Support Wage (e.g. Bureau of Labor Statistics)
- Employment Related Expenses (expenses common to all providers)
- Program Support (e.g. supplies, equipment, clinical)
- Training of provider staff
- Transportation related to the service
- Facility Cost (associated with operation of buildings)
- General and Administrative

Rate Study

Direct Support Wage (e.g. Bureau of Labor Statistics)

- Wage paid to employee directly providing a DDA service
- *Current data is from May 2018*

Include:

- Wages for Direct Support Professionals
- Holidays Worked

Rate Study

Employment Related Expenses

Include:

- Insurance
  - FICA
  - FUTA
  - Unemployment
  - Workers Compensation
- Benefits
  - Tuition Reimbursement
  - Retirement Programs
  - Profit Sharing
- Paid Time Off (i.e. Vacation/Holiday/Other pay)

Rate Study

Program Support

Include:

- Supplies
- Supervision of services
  - Wages/Salaries for essential staff not directly providing a service
  - Even if these staff are interacting with clients (e.g. nurse case management)
  - Estimate share of time spent providing service for mixed roles (House Director, etc.)

Rate Study

Training

Include:

- Training hours for Direct Support Professional (DSP)
- Funding to support replacement staff while DSP is being trained
- Requirements listed in the waiver programs and regulations
  - Behavioral Support (e.g. Mandt)
  - Employment certification (e.g. discovery, job development)
  - Regulations (e.g. Medication Technician Training Program, Person-Centered Thinking, Community Integration and Inclusion, Incident Reporting and Abuse Prevention, Self Direction, etc.)
  - "Person specific" training

Rate Study

Transportation

Include:

- Costs incurred by transportation staff, transportation time, or other transportation-related costs
- Driver wages/salaries
- Share of DSP time commuting on the clock
- Vehicle costs
- Vehicle maintenance and insurance
- Other transportation costs (tickets, rentals, etc.)

Rate Study

Facility Cost – *Day Habilitation only*

Include:

- Costs for running a facility where services are offered
  - Rent (for service facility)
  - Mortgage (for service facility)
  - Maintenance (for service facility)
  - Insurance (for service facility)
  - Taxes (for service facility)
  - Utilities (for service facility)

Rate Study

General and Administrative

Include:

- Costs irrespective to line of business, common to most businesses:
  - Office rent
  - Office utilities
  - Office supplies
  - Management and Executive salaries
  - General Insurance
- DDA policy: ***12% of total costs for all services***

Services Affected

- Day Habilitation (Small and Large Groups, 1:1 and 2:1)
- Community Living – Group Homes (Dedicated Supports 1:1 and 2:1)
- Supported Living – (Dedicated Supports 1:1 and 2:1)
- Personal Supports – (Enhanced Support Rate)
- Shared Living (i.e. Level 1, 2, and 3)

Day Habilitation

- Bureau of Labor Statistics: *21-1093: Social and Human Service Assistants*
  - 50 Percentile – Small and Large Group
  - 75 Percentile – 1:1 and 2:1
  - 3.5% inflation (May 2018 to 2020)
- Employee Related Expenses: 30.1%
- Facility Cost: 22.3%
- Program Support: 31.8%
- Training: 11.7% for 1:1/2:1 and 8% for Small/Large Groups
- Transportation: 17.6%
- Program closures (e.g. weather-related closings): 3.6%

- General and Administrative: DDA policy- 12% of total costs for all services

Day Habilitation

Rate Assumptions:

Small Group (2-5):

- Rate based on an average ratio of 1 staff to 3.5 people
- Rate includes a closure factor

Large Group (6-10):

- Rate based on an average ratio of 1 staff to 7.5 people
- Rate includes a closure factor

Community Living – Group Homes (Dedicated Supports 1:1 and 2:1)

- Bureau of Labor Statistics: *21-1093: Social and Human Service Assistants*
  - 75 Percentile – 1:1 and 2:1
  - 3.5% inflation (May 2018 to 2020)
- Employee Related Expenses: 30.1%
- Facility Cost: N/A
- Program Support: 24.3%
- Training: 11.7%
- Transportation: 6.5%
- General and Administrative: DDA policy- 12% of total costs for all services

Community Living – Group Homes

Rate Assumption for Dedicated Hours:

- Separate rate for dedicated hours for 1:1 and 2:1
- Higher wage
- Higher percentage for training

Supported Living (Dedicated Supports 1:1 and 2:1)

- Bureau of Labor Statistics: *21-1093: Social and Human Service Assistants*
  - 75 Percentile – 1:1 and 2:1
  - 3.5% inflation (May 2018 to 2020)
- Employee Related Expenses: 30.1%
- Facility Cost: N/A
- Program Support: 24.3%
- Training: 11.7%
- Transportation: 6.5%
- General and Administrative: DDA policy- 12% of total costs for all services

Supported Living

Rate Assumption for Dedicated Hours:

- Separate rate for dedicated hours for 1:1 and 2:1
- Higher wage
- Higher percentage for training

Personal Supports-Enhanced Rate

- Bureau of Labor Statistics: *21-1093: Social and Human Service Assistants*
  - 75 Percentile
  - 3.5% inflation (May 2018 to 2020)
- Employee Related Expenses: 30.1%
- Facility Cost: N/A
- Program Support: 24.3%
- Training: 11.7%
- Transportation: 6.5%
- No Show (i.e. person refuses service): 5%
- General and Administrative: DDA policy- 12% of total costs for all services

Personal Supports-Enhanced Rate

Rate Assumption for Enhanced Support:

- Hourly rate
- Higher wage to support complex needs
- Higher percentage of training for behavioral and/or nursing care plans
- No Show (i.e. person refuses service)

Amendment #2 2019

Shared Living (i.e. Level 1, 2, and 3)

- Level 1: The person does not require continuous supervision and monitoring

- Level 2: The person requires increased levels supervision and monitoring

- Level 3: The person requires ongoing supervision and monitoring to mitigate behavioral risk or provide health and safety supports

Amendment #2 2019

Shared Living (i.e. Level 1, 2, and 3)

- The type and amount of assistance, support, and guidance are informed by the assessed level of need

- Nurse Case Management and Delegation Services and Transportation included as part of the services

Shared Living

Rate Assumptions:

- Monthly stipend
- Includes administrative fee
- Three tiers of rates based on level of support

Shared Living

Level	Rate (Month)	12% Admin	Total
1	$2,705	$325	$3,030
2	$3,105	$373	$3,478
3	$3,705	$445	$4,150

Amendment #2 2019

Public Comment Process

MARYLAND
Department of Health

Public Comment

- The official public comments period will begin June 15, 2019 through July 14, 2019
- Track change documents regarding the amendments proposal (reflected in *Appendix A, C, E, I and J only*) will be uploaded to the DDA Waivers - Amendment #2 2019 dedicate webpages on June 14, 2019
  - Reference: https://dda.health.maryland.gov/Pages/DDAWaiversAmendment2-2019.aspx
- Public comments can be submitted to wfb.dda@maryland.gov or mailed to DDA Federal Programs at 201 West Preston Street, 4th Floor, Baltimore MD 21201 on June 15, 2019 through July 14, 2019

Revised June 14, 2019

DDA's Regional Offices

Region Office	Counties Served	Phone
Michael Bryan, Acting Director Central	Anne Arundel County, Baltimore City, Baltimore County, Harford County, Howard County	410-234-8200 TDD: 877-874-2494
Kimberly Gscheidle, Director Eastern	Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties	410-572-5920 TDD: 1-800-735-2258
Judy Pattik, Director Southern	Calvert, Charles, Montgomery, Prince George's, and St. Mary's Counties	301-362-5100 TDD: 1-888-207-2479
Cathy Marshall, Director Western	Allegany, Carroll, Frederick, Garrett, and Washington Counties	301-791-4670 TDD: 1-888-791-0193