

Community Pathways – Waiver Renewal Comparison Chart

Background Summary:

The Maryland Department of Health and Mental Hygiene (Department) obtained public input in the development of the Community Pathways waiver renewal from stakeholders including participants, families, providers, and advocates. In order to facilitate constructive input on the waiver renewal application, the Department held a series of meetings and circulated drafts to interested parties with components of the application. In addition, 138 individuals participated in webinars established to support statewide participation. The Developmental Disabilities Administration (DDA) established a designated web page with stakeholder presentations, information, resources, and public feedback summaries related to the renewal including links to the existing waivers via the Centers for Medicare and Medicaid Services (CMS) website and the CMS waiver technical guide. A designated email address to an independent third party was established to collect and summarize all stakeholder feedback.

Meetings to seek input on priorities for changes and improvements in waiver services included the following individuals and organizations: waiver participants, family members, People on the Go (self-advocacy group), Self Advocates Networks (regional), Maryland Developmental Disabilities Coalition, Maryland Association of Community Services (provider association), Maryland Department of Disabilities, Maryland Developmental Disabilities Council, The ARC of Maryland, Maryland Disability Law Center, Maryland Employment First Workgroup, Resource Coordination Providers, and the general public.

The Employment First Workgroup reviewed and proposed language for the Supported Employment, Day Habilitation, Employment Discovery and Customization, and Community Learning services. Recommendations were based on CMS compliance requirements and national best practices. Recommendations to provide services as half days, create a standalone prevocational service, and offer benefits counseling will be further explored with the waiver advisory committee and proposed via a waiver amendment. These recommendations also require rate setting and operational changes to the DDA's data system and payment processes.

Additional details, amount, and limitations were included within descriptions of services to (1) better clearly define the service, (2) unbundle duplicated services (i.e. Family and Individual Support Services (FISS) included transportation which is a standalone service), (3) comply with federal requirements (i.e. volunteering was moved from Supported Employment to Community Learning Services), (4) increase time frame to access services to support planning, transitioning, and purchasing of items, (5) increase transitional services and traditional transportation upper limits, and (5) to protect participants health and welfare.

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As with previous practice, participants self-directing services may utilize a family member to provide services. In order to support the participant's best interest, voice, and choice in the person centered planning process and to address concerns with conflict of interest, the following requirements were strengthened in the renewal:

A family member may be the paid employee of an adult participant, if the Individual Plan (IP) establishes that:

1. the choice of provider reflects the individual's wishes and desires;
2. the provision of services by the family member are in the best interests of the participant;
3. the provision of services by the family member or guardian are appropriate and based on the participant's individual support needs;
4. the services provided by the family member or guardian will increase the participant's independence and community integration; and
5. there are documented steps in the IP that will be taken to expand the participant's circle of support so that they are able to maintain and improve their health, safety, independence, and level of community integration on an ongoing basis should the family member acting in the capacity of employee be no longer available.

An individual may be the support broker of a participant, if the IP establishes that:

1. choice of provider truly reflects the individual's preferences, wishes and desires;
2. the provision of services by the family member are in the best interests of the participant;
3. the provision of services are appropriate and based on the participant's individual support needs;
4. the services will increase the participant's independence and community integration;
5. if staff is a family member then no other family member is a provider of direct services;
6. there are documented steps in the IP that will be taken to expand the participant's circle of support so that they are able to maintain and improve their health, safety, independence, and level of community integration on an ongoing basis should the support broker acting in the capacity of employee be no longer available.

The following information provided an overview of some of the changes based on a review conducted by The Hilltop Institute.

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<p>Assistive Technology and Adaptive Equipment</p> <p>A variety of items used to increase, maintain, or improve the function and abilities of participants. These items may also improve participation in the community. Examples of the types of devices include communication, visual or auditory support devices and equipment that allow an individual to live more independently.</p>	<p>Additional details regarding the scope and limitations of this service have been added.</p> <p>Additional details of items not allowed. Specifically excluded are wheelchairs and power mobility, architectural modifications, adaptive driving, vehicle modifications, and devices requiring a prescription by physicians or medical providers as they are available through other waiver or state plan sources. Items covered cannot be of the same type, duration, and frequency as other services available through the participant’s private health insurance, the Medicaid State Plan, Division of Rehabilitation Services (DORS), or other resources.</p> <p>Services, equipment, items, or devices that are experimental or prohibited treatments by the State or Federal authorities—including the Health Occupations Licensing Boards and the Federal Drug Administration—are not allowed. For a piece of equipment to be covered, it must be included in a waiver participant's individual plan (IP).</p> <p>Pre-authorization requirement to receive the service.</p>	<p>To clarify service descriptions and align with federal requirements.</p> <p>These items are not allowed under the Community Pathways Waiver as they are accessible either through the Medicaid State Plan as Durable Medical Equipment (DME), stand-alone waiver services (i.e. environmental accessibility adaptations and vehicle modifications), or through DORS. DME also covers speech generating, augmentative, and alternative communication and devices repairs to purchased durable medical equipment. Individuals requiring these types of equipment must apply and meet medical necessity and other criteria.</p> <p>This change protects participants’ health and welfare.</p> <p>This change brings the waiver renewal into conformance with current DDA policy. DDA’s current policy is to require a pre-authorization for these services as part of an Individual's Plan or Request for Service Change.</p>

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<p>Behavioral Supports</p> <p>An array of services to assist participants who without such supports are experiencing or are likely to experience difficulty in community living as a result of behavioral, social, or emotional issues.</p>	<p>This service does not change with the renewal application.</p>	<p>Not applicable.</p>
<p>Community Learning Services</p> <p>Promote positive growth and/or assist individuals in developing the skills and social supports necessary to gain, retain or advance in employment. This includes activities, special assistance, support, and education to help individuals whose age, disability, or circumstances currently limits their ability to be employed and/or participate in activities in their communities.</p>	<p>Retirement planning activities are explicitly covered under this service.</p>	<p>To support opportunities for participants to retire and participant in community activities. This change is based on stakeholder feedback during the planning process for the renewal.</p>

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<p>Community Residential Habilitation Services</p> <p>An array of services to assist a waiver participant in acquiring the skills necessary to maximize the independence in activities of daily living and to fully participate in community life. Services are provided in a licensed DDA group home or alternative living unit</p>	<p>Community Exploration – <i>formerly Community Acclimatization as a transition service</i> – was added to provide an opportunity for individuals to experience short-term overnight stays with a community provider under Residential Habilitation and for the provider to learn about and form a relationship with an individual before transition. Service is now available for transitions from a non-residential site in addition to transitions from institutions.</p> <p>Payments for overnight stays were extended from no more than 15 days in advance of waiver enrollment to 180 days.</p> <p><i>Residential Habilitation – Individual Family Care (IFC)</i> model was moved to a stand-alone waiver service titled Shared Living.</p> <p>This option must be preauthorized by the DDA.</p>	<p>Service was aligned with the appropriate type of provider and opportunity to access was extended.</p> <p>To provider more opportunities for individuals to explore options.</p> <p>This addition brings Maryland in line with current best practice offerings in other states.</p> <p>This change brings the waiver renewal into conformance with current DDA policy. DDA’s current policy is to require a pre-authorization for these services as part of an Individual’s Plan or Request for Service Change.</p>

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<p>Community Supported Living Arrangement (CSLA) / Personal Support</p> <p>Personal assistance, support, supervision, and training to assist waiver participants to participate fully in their home and community life. These supports can be provided in the participant’s own home, family home, in the community, and at an individual work site.</p>	<p>CSLA is included in the renewal application for transition purposes, with a new service called Personal Supports taking its place. Personal Support is essentially the same service as it provides hands-on assistance (actually performing a task for the person) or cueing to prompt the participant to perform a task.</p> <p>Personal Supports will be reimbursed on an hourly rate. CSLA is currently reimbursed based on a daily rate.</p> <p>For self-directing participants, Personal Supports Retainer Fees are available for direct support workers to be reimbursed for supporting waiver participants during a hospitalization, with a 21-day annual limit per individual.</p> <p>Payments for advertising and staff training cost were extended from no more than 15 days in advance of waiver enrollment to 180 days.</p>	<p>To ensure participants receive the full scope of authorized services, align with federal service and audit guidelines, and enhance accountability of service delivery. Personal supports is more specific and focused than CSLA and additional services under the former CSLA description are included in separate categories of waiver services such as FISS, behavioral supports, or resource coordination.</p> <p>The transition will take place over an 18 month period from the date of the waiver approval (March 26, 2014). CSLA will remain in place during that period.</p> <p>Personal Supports Retainer Fees was covered under the New Directions waiver and was added to the service option.</p> <p>To provide more time for planning and identification of staff for people self directing services.</p>

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<p>Employment Discovery and Customization</p> <p>Assists waiver participants to develop career goals through career exploration, job development, and related services. This includes assessment, discovery, customization, and training activities to gain competitive employment at an integrated job site where the individual is receiving comparable wages, and where most of the employees do not have disabilities.</p>	<p>The duration of service availability has been increased from three to six months.</p>	<p>Stakeholder feedback during the planning process for the renewal prompted this update.</p>

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<p>Environmental Accessibility Adaptations</p> <p>Physical modifications to the home based on an environmental assessment designed to support the participant’s efforts to function with greater independence and/or to create a safer, healthier environment.</p>	<p>Further clarification about what is approvable is provided in the renewal application.</p> <p>Details state that the adaptation must be 1) required because of the residence's physical structure and the participant's special functional needs; 2) reasonable and necessary to prevent the participant’s institutionalization or hospitalization; and 3) provided to ensure the following: a) the participant's health, welfare, and safety or b) the participant's ability to function with greater independence and access in the residence.</p> <p>The lifetime limit of \$17,500 remains the same; however, it is now combined with vehicle modifications.</p>	<p>To further clarify the scope of the service such as: adaptations to the electrical, telephone, and lighting systems; generators to support medical equipment that require electricity; alarms or locks on windows, doors, and fences; protective padding on walls or floors; Plexiglas, safety glass, a protected glass coating on windows; outside gates and fences; brackets for appliances; raised/lowered electrical switches and sockets; and safety screen doors which are necessary for the health, welfare, and safety of the participant.</p> <p>This criterion aligns with other Medicaid waiver programs' environmental modification services. All restrictive adaptive measures such as locked windows, appliances, doors, and fences must be included in the participant's approved behavior plan as per DDA’s policy on positive behaviors supports to protect rights and health and welfare.</p> <p>Vehicle modifications services and cost use to be included under Environmental Accessibility Adaptations and is now a standalone waiver service as noted below.</p>

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<p>Environmental Assessment</p> <p>An on-site assessment of the participant’s primary residence to determine if environmental adaptations/modifications or assistive devices/equipment may be necessary.</p>	<p>This is a new service in the renewal application. Environmental assessment is limited to one assessment annually unless otherwise approved by the DDA.</p>	<p>This service is provided in other Medicaid waiver programs and will support the identification of appropriate modifications and technology to meet individual needs.</p>

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<p>Family and Individual Support Services</p> <p>Service includes:</p> <ul style="list-style-type: none"> ➤ various supports necessary to effectively link individuals with the community; ➤ training, facilitating opportunities, and/or accompanying the participant to acquire skills; and ➤ family support groups and training on issues related to the participant’s needs, and includes instruction about treatment regimens and use of equipment specified in the service plan and information as necessary to safely maintain the participant at home. 	<p>Greater detail is provided regarding the scope of supports necessary to effectively link individuals with the community, which may include, but are not limited to the following:</p> <ol style="list-style-type: none"> a. Assistance locating and establishing day services; b. Assistance to establish relationships in the community with individuals, organizations, or associations; c. Assistance locating and accessing education; d. Assistance to engage in activities to improve social skills; e. Assistance locating and accessing recreational and social activities; f. Assistance to enhance skills related to expressing preferences and choices; g. Assistance with locating roommates of the individual’s choosing; h. Assisting the individual with or providing training related to finances, including money management, banking, and tax preparation; i. Assistance locating and establishing individual and family counseling; j. Assistance with grocery shopping; and k. Mobility and travel training and assistance including supporting the person in learning how to access and utilize informal, generic, and public transportation for independence and community integration. 	<p>To clarify service descriptions, increase transparency, align with federal requirements and payment guidelines, and enhance accountability of service delivery.</p>

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<p>Family and Individual Support Services <i>(Continued)</i></p>	<p>Greater detail is provided regarding the scope of training, facilitating opportunities, and/or accompanying the participant to acquire skills including:</p> <ul style="list-style-type: none"> a. Self-advocacy; b. Independent living; and c. Applying or maintain government and community resources and housing. <p>For those self-directing, FISS also includes Individual Directed Goods and Services, which are services, equipment, or supplies not otherwise provided through the waiver or Medicaid State Plan that address an identified need in the service plan (including improving and maintaining the participant’s opportunities for full membership in the community) .</p> <p>Respite, transportation, job coaching, and behavioral services were moved to stand-alone waiver services.</p> <p>Specific exclusions listed are payments for day care, groceries, education, or recreational activities.</p>	<p>To clarify service descriptions, increase transparency, align with federal requirements and payment guidelines, and enhance accountability of service delivery.</p> <p>Individual Directed Goods and Services were added as a result of stakeholder input during the waiver renewal planning process. Service model and assurances align with federal requirements.</p> <p>Services moved to Respite, Transportation, Supported Employment, and Behavioral Support Services.</p> <p>To align with federal requirements. Funding assistance for some items may be covered based on the difference between customary fees and any additional fees due to the person’s special needs.</p>

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<p>Live-In Caregiver</p> <p>Rent for an unrelated personal caregiver who is residing in the same household with an individual.</p>	<p>This service does not change with the renewal application.</p>	<p>Not applicable</p>
<p>Medical Day Care</p> <p>Medically supervised, health-related services provided in an ambulatory setting to adults with significant health conditions who, due to their degree of medical needs, need health maintenance and restorative services supportive to their community living.</p>	<p>This service does not change with the renewal application.</p>	<p>Not applicable</p>
<p>Respite</p> <p>Relief service provided for the participant’s family or primary caregiving provider for participants unable to care for themselves.</p>	<p>This service does not change with the renewal application.</p>	<p>Not applicable</p>

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<p>Shared Living</p> <p>Long-term sharing of lives, forming of caring households, and close personal relationships between a participant and support person(s) in a licensed site.</p>	<p>This service was formerly called Individual Family Care as an option under Community Residential Habilitation.</p> <p>The service is defined as an arrangement in which an individual, couple, or family in the community share life experiences with a person with a disability. The person receiving supports should have the opportunity to decide with whom they will live and the nature of the relationship (e.g., whether it is a roommate, a couple, or a family setting).</p>	<p>This addition brings Maryland in line with current best practice offerings in other states.</p>
<p>Support Brokerage</p> <p>Human resource supports to assist a participant make informed decisions, as the employer, about what staff, services, and supports are consistent with the participant's needs and reflect the participant's unique circumstances. Service may include assistance with day-to-day management of employees.</p>	<p>Only for those self-directing, the service provides additional flexibility related to the amount of hours based on the scope and complexity of service needs.</p> <p>Previously, a minimum of four hours of service was required per month; that requirement has been lifted.</p> <p>There is an upper limit of ten hours a month unless authorized by DDA due to scope and complexity of service needs.</p> <p>Individuals and organizations providing Support Brokerage services may provide no other service to that individual.</p>	<p>Service was covered under the New Directions waiver and was added to the service option.</p> <p>Based on feedback from stakeholders and participants it was agreed that the four hours a month requirement did not meet individual needs as some participants did not require four hours and others may need more.</p> <p>This will allow for the proper review of service needs of the participant.</p> <p>In order to be in compliance with the federal directive for conflict free case management, this limitation is necessary.</p>

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<p>Supported Employment</p> <p>An array of services to assist participants in gaining and maintaining employment including: 1) training related to acclimating to or acceptance in the workplace environment, such as effective communication with co-workers and supervisors and when and where to take breaks and lunch;</p> <p>2) Training in skills to communicate disability-related work support and accommodation needs;</p> <p>3) Training in accessing generic community resources needed to achieve integration and employment, such as workforce development services, higher education opportunities, social services, and;</p> <p>4) Mobility/travel training to be able to use fixed route and/or paratransit independently.</p> <p>April 9, 2014</p>	<p>Supported Employment services no longer include volunteer work.</p> <p>Greater detail is provided regarding criteria including supported employment services are provided to:</p> <ol style="list-style-type: none"> 1. Participants who, with licensee funded supports, are working in individualized, integrated jobs in community businesses for pay at or above minimum wage that is commensurate with other employees in that businesses performing the same job with comparable experience or who have their own microenterprise or business; 2. Small groups of between two and eight individuals; 3. Large groups of nine or more individuals, working in integrated settings in the community; and 4. Participants who are self-employed and under this service, shall be: <ol style="list-style-type: none"> a) an equal or majority owner in the business, b) involved in the management or operation of the business, and c) involved with a business that is not facility based and that generates revenue with a goal of earning the federal minimum wage or more. 	<p>In order to be in compliance with the federal directive related to service covered under the category, this limitation is necessary. Volunteer opportunities are now covered under Community Learning Services.</p> <p>Maryland's Stakeholder Employment Workgroup recommendations.</p> <p style="text-align: right;">Page 14 of 18</p>

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Service Category	Changes in Renewal Application	Rationale
<p>Supported Employment</p> <p><i>(Continued)</i></p>	<p>Greater detail is provided regarding scope of services and may include:</p> <ol style="list-style-type: none"> 1. Providing individualized counseling related to obtaining and maintaining employment; 2. Providing long-term job coaching services to include on-the-job work skills training required to perform the job; 3. Providing worksite visits as needed by the individual or employer unless the individual requests visits outside the worksite or worksite visits are deemed too disruptive by the employer; 4. Providing ongoing evaluation of the individual's job performance except for supervisory activities rendered as a normal part of the business setting; 5. Providing training and supervision that promotes co-worker supporting and networking with each other; 6. Assessing the need for assistive technology and facilitating acquisition of assistive technology from DORS; 7. Providing benefits awareness and arranging for benefits planning, management and counseling; 8. Providing information and training, as appropriate, for employers related to disability awareness, use of tax credits and other incentives, individual disability-specific training, use of assistive technology and accommodations; 9. Provide support to a person to manage and operate their own business; and/or 10. Ongoing supports and training to explore/progress to individualized integrated employment at or above minimum wage. 	<p>Maryland's Stakeholder Employment Workgroup recommendations.</p>

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Service Category	Changes in Renewal Application	Rationale
<p>Supported Employment</p> <p><i>(Continued)</i></p>	<p>Greater detail is provided regarding support services as necessary to assure job retention:</p> <ol style="list-style-type: none"> 1. Training related to acclimating to or acceptance in the workplace environment, such as effective 2. communication with co-workers and supervisors and when and where to take breaks and lunch; 3. Training in skills to communicate disability-related work support and accommodation needs; 4. Training in accessing generic community resources needed to achieve integration and employment, such as 5. workforce development services, higher education opportunities, social services, and; 6. Mobility/travel training to be able to used fixed route and/or paratransit independently. 	<p>Maryland's Stakeholder Employment Workgroup recommendations.</p>

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<p>Traditional Day Habilitation</p>	<p>This service does not change with the renewal application.</p>	<p>Not applicable</p>
<p>Transition Services</p> <p>One-Time Only Expenses for an individual transitioning from an institutional or non-residential site to the community.</p>	<p>Community Acclimatization is now titled Community Exploration and was moved to Residential Habilitation.</p> <p>The dollar limit for this service has been raised from \$3,000 to \$5,000.</p> <p>The opportunity for transition services has been expanded from 60 days in advance of transition to 180 days in advance of a transition.</p>	<p>Service was aligned with the appropriate type of provider, amount increased, and opportunity to access was extended.</p> <p>The increase is based on stakeholder feedback during the planning process for the renewal.</p> <p>To provide more time for planning and purchase of items before transitioning.</p>

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<p>Transportation</p> <p>Enhances a waiver participant’s ability to access community activities in response to needs identified through the participant’s Individual Plan</p>	<p>New to the service scope is the inclusion of mobility and travel training, including supporting the person in learning how to access and utilize informal, generic, and public transportation for independence and community integration.</p> <p>The dollar limit for this service under the traditional service delivery model has been increased from \$1,200 to \$1,400 annually.</p>	<p>To support greater independence for participants, align with national best practices, and based on stakeholder feedback during the planning process for the renewal.</p> <p>Stakeholder input during the planning process for the renewal emphasized the importance of transportation and the need for an increased limit.</p>
<p>Vehicle Modification</p> <p>Includes 1) Assessment services to (a) help determine specific needs as a driver or passenger, (b) review modification options, and (c) develop a prescription for required modifications of a vehicle. 2) Assistance with modifications to be purchased and installed in a vehicle owned by or a new vehicle purchased by the participant, or legally responsible parent of a minor or other as approved by DDA.</p>	<p>This service was previously covered under Environmental Accessibility Adaptations. Additional details regarding the scope and limitations of this service have been added.</p> <p>The service needs to be preauthorized by the DDA and approved in the IP based on appropriate assessment and professional recommendations and when not otherwise available under the individual’s private health insurance (if applicable), the Medicaid State Plan, DORS, or through other resources.</p>	<p>To enable the participant to achieve employment goals and to live successfully in the community. This was previously covered under Environmental Accessibility Adaptations and was made a separate stand-alone service category.</p> <p>The scope and requirements were aligned with the Division of Rehabilitation Services (DORS) Vehicle Modification services standards.</p>