STATE OF MARYLAND
DHMH
Maryland Department of Health and Mental Hygiene
Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary

Memorandum

To: DDA Licensed Service Providers
DDA Coordination of Community Services Providers
Fiscal Management Service Providers
Support Brokers

From: Bernard Simons, Deputy Secretary, DDA

CC: DDA Headquarters and Regional Offices

Date: April 22, 2015

Re: Waiver Transition Guideline # 3
Health and Welfare – New Services, Equipment, Items, Devices and Treatments

THIS LETTER IS AVAILABLE IN ACCESSIBLE FORMATS. TO REQUEST ANOTHER FORMAT, PLEASE CONTACT HELPDESK.DDA@MARYLAND.GOV.

The Community Pathways Waiver can fund a variety of services, equipment, items and devices which can assist waiver participants in achieving greater independence, engaging in community life, and/or supporting health and safety. Services, equipment, items, and devices should support individual choices and independence; goals related to employment; community integration; and services in the most integrated setting appropriate. To protect participant's health and welfare, services, equipment, items or devices that are experimental or treatments prohibited by the State or federal authorities including the Health Occupations Licensing Boards and the Federal Drug Administration are not covered.

As per the new federal rules, all restrictive techniques (i.e. services, settings, equipment, items and devices) must be supported by a specific assessed need, justified in the person-centered service plan, and can only be made exclusively on an individual basis.

Documentation of all of the following is required:

- Identification of a specific and individualized assessed need;
- The positive interventions and supports used prior to any modification(s) to the person-centered plan;
- Less intrusive methods of meeting the need that have been tried but did not work;
- A clear description of the condition(s) that is directly proportionate to the specific assessed need;
- Review of regulations and data to measure the ongoing effectiveness of the restrictive technique;

- Established time limits for periodic reviews to determine if the restrictive technique(s) is still necessary or can be terminated;
- Informed consent of the individual; and
- An assurance that interventions and supports will cause no harm to the individual.

Some services, equipment, items, and devices may require an assessment and recommendation by a professional licensed in the relevant field. As per DDA policy, all restrictive techniques must be reviewed, approved, and monitored by a standing committee. To request new services, equipment, items or devices and treatments, the following actions should be followed.

Transition Road Map

Entity	Action	Timeline
Person Centered Planning Teams	Research services, equipment, items, devices and treatments requested by waiver participants, family members, and services provider to ensure that they are available and approved by Maryland Medicaid State Plan services, Community Pathways, and comply with the new federal requirements related to restrictive techniques	Upon learning of request
Coordinators of Community Services	Provide documentation to support new services, equipment, items, devices and treatments compliance with State and federal requirements	With request for funding
DDA Regional Offices	Authorize services, equipment, items, devices and treatments based on approved Community Pathways Waiver and supporting documentation	During review of request for funding

The Maryland Technology Assistance Program (MDTAP) is a program run by the Maryland Department of Disabilities. They help support access to assistive technology (AT) devices and services. MDTAP services include information and referrals; trainings and demonstrations; loan library; Assistive Technology Loan Program; Work ABILITY Loan Program; and a "Reuse" directory for buying, selling, and recycling assistive technology. For more information refer to their website at: http://www.mdod.maryland.gov/MTAP%20Home.aspx.

For more information regarding Maryland's Department of Labor Licensing and Regulation's Division of Occupational and Professional Licensing refer to their website at http://www.dllr.state.md.us/license/.

For more information regarding the Federal Drug Administration (FDA) regulatory authority refer to their website at http://www.fda.gov/AboutFDA/Transparency/Basics/ucm194879.htm.

For more information regarding the current Medicaid Durable Medical Equipment (DME) and Durable Medical Supplies (DMS) approved list of items refer to their website at https://mmcp.dhmh.maryland.gov/communitysupport/SitePages/approvedlist.aspx.