



NYS Office For People With Developmental Disabilities

# Putting People First



## **Consolidated Supports and Services Redesign**

April 17, 2014

Fiscal Intermediary &  
Support Broker Presentation



# Purpose of Meeting - Agenda

To talk about changes to CSS:

- CSS Current Model and Future Changes
- Quick Look at new Plan & Budget
- Conversion of FMS to Fiscal Intermediary (FI) & Expanded Choices of FI Services
- Moving individual budgets to new format by October 1, 2014



# Terms for the Day

- CMS – Centers for Medicare and Medicaid Services (Federal government)
- CSS - Consolidated Supports and Services
- Self Direction (SD)
- Employer Authority
- Budget Authority
- Fiscal Intermediary (FI)
- Self – Hire
- Agency Supported Self Direction
- Direct Provider Purchased Services/Supports



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# **WHAT'S THE SAME – WHAT'S NEW**



# Same: What is Self Direction?

**Self Direction means that the individual with developmental disabilities may choose:**

- Employer Authority and/or Budget Authority
- To self direct supports and services
- The mix of supports and services that work best for him/her, how and when they are provided, and the staff and/or organizations who provide them – choosing:
  - HCBS waiver supports,
  - NYS funded supports, and/or
  - Natural and generic community supports



# Same: What is Employer Authority?

The individual, with the assistance of family/circle of support:

- Makes decisions about who works for him/her.
- Can recruit people to work for him/her.
- Decides what staff will do to help him/her, how many hours of help is needed and when that help is needed.
- Supervises the staff and if they don't do a good job, changes the staff.



# Same: What is Budget Authority?

The individual, with the assistance of family/circle of support:

- Chooses needed services.
- Decides about services and supports based on his/her funding.
- Decides what services are paid for and who is paid to provide them; decides how much to pay self-hired staff
- Manages his/her OPWDD budget in a responsible manner.



# New: CMS Mandated Changes

- The monthly unit is not acceptable.
- Each Medicaid funded self-directed service piece in a person's Self Directed Plan/Budget must line up with an HCBS Waiver service.
- Each support/service in the individual's current CSS plan that is eligible for Medicaid funding must be separately billed to Medicaid.
- FI payment must be separately billed; based on the level of support the individual chooses to purchase.

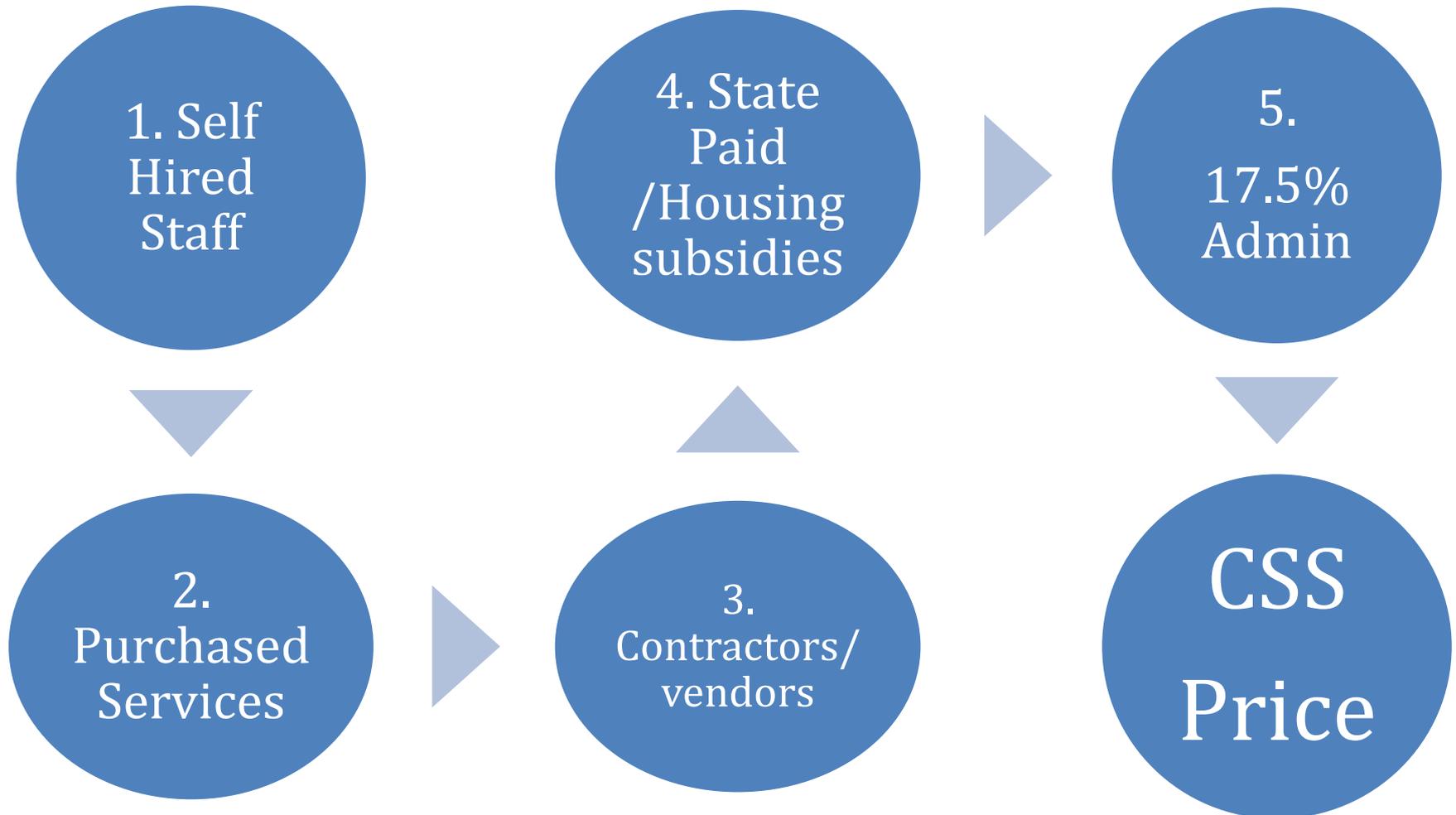


# New: CMS Mandated Changes

- The amount paid for self-directed services can't exceed the amount paid for provider-controlled services
- Medicaid payment can't be higher than the PRA; no exceptions are allowed
- Effective date of conversion for all CSS plans is October 1, 2014.



# Today: CSS Budget





# Future: What is in the Self Directed Budget

- Refer & Select Staff (Self Hire Staff)
- Agency Purchased Services
- Contractors and Vendors
- Housing Subsidy
- State Paid Items
  - *Fiscal Intermediary is also a choice you make regarding level of service – no automatic 17.5% of the budget*



## Future Choices in Self Direction: **Self-Hired Staff (FI Supports Person)**

### **Individual directs budget & staff:**

- Chooses staff & sets salary
- Sets staff schedule & activities
- Arranges for back-up staff
- Person may choose to be Employer of Record

### **FI supports individual with:**

- Admin functions, including payroll & HR, and
- Other staffing supports as chosen (such as training & assistance with staff management)



## Future Choices in Self Direction: **Self-Hired Staff (FI Supports Person)**

- Most services in current CSS Plans/Budgets fall in “**Self-Hired Staff (FI Supports Person)**” category – individual:
  - Chooses staff & sets salary
  - Sets staff schedule & activities
- Most self-hired staff are providing supports that would be billed as Community Hab service



# Self-Direction Today: Self Hire Staff

## NOW:

- Individual selects and refers staff or hires agency staff
- Individual sets the salary
- The FI agency pays the staff wages



# 1. Future Choices in Self Direction: Self-Hired Staff

## **FUTURE:**

- Individual selects own staff
- Individual sets the salary
- Individual can arrange for own back-up staffing
- The FI agency performs admin functions, including payroll & HR
- *If the individual chooses, the FI agency can provide other staffing supports (such as training & assistance with staff management)*
- *The Individual can choose to be the Employer of Record*



# 1. Future Choices in Self Direction: Self-Hired Staff

***For all three service types***

- 1. Community Habilitation***
- 2. Respite***
- 3. Supported Employment***

***the wage is limited to the amount paid a provider agency for the same service***



# 1. Future Choices in Self Direction:

## What services do Self Hire Staff provide?

- **Community Habilitation**

- This includes face-to-face habilitation &/or “hands-on support services” at home and in the community

- **Respite**

- family or caregiver needs respite on a short-term basis

- **Employment Supports (SEMP)**

- Assistance in locating or developing a job, providing supports for me to sustain paid work, such as supervision, counseling and training



## Future Choices in Self Direction:

# Self-Hired Staff (FI Supports Person)

### 1. **Community Habilitation - Self Direction using Self-Hired Staff**

- Includes face-to-face habilitation &/or “hands-on support services” at home **and** in the community
- Individual decides wage parts: staff salary, fringe, optional training, staff transportation, etc.
- Community habilitation must be funded at or under the HCBS-Waiver approved CH hourly rate (approximately \$40); ¼ hour units are billed directly to eMedNY
- Can be used for face-to-face “consultant” services if pay rate is at or under approved CH hourly rate (approximately \$40)



# Future Choices in Self Direction: Self-Hired Staff (FI Supports Person)

## 2. Respite - Self Direction using Self-Hired Staff

- Is supervision of an individual living with family provided on a short-term basis in the individual's home or a free-standing respite facility when regular caregivers are not available; does not include habilitation supports, transportation
- Individual directs/negotiates wage components: staff wage, fringe, optional training
- Respite must be funded at or under the established respite provider hourly rate; ¼ hour units are billed directly to eMedNY



## Future Choices in Self Direction:

# Self-Hired Staff (FI Supports Person)

- 3. Employment Supports (SEMP) - Self Direction using Self-Hired Staff - direct & indirect supports**
  - Includes assisting individual to locate or develop job; supports needed to sustain paid work, such as supervision, counseling and training, addressing work behaviors, mobility needs, interpersonal skills etc., may assist individual in achieving self-employment (not costs of starting up or operating business)
  - Individual directs/negotiates wage components: staff wage, fringe, transportation, optional training
  - SEMP must be funded at or under established provider SEMP rate; ¼ hour units are billed directly to eMedNY



# Future Choices in Self Direction: FI Supports Person

## Live-in Caregiver (LIC)

- LIC is a person unrelated to the participant by blood or marriage to any degree who provides as needed supports to address the participant's physical, social, or emotional needs in order for the participant to live safely and successfully in his or her own home.
- The participant must reside in his/her own home or leased residence.
- Cost is LIC's share of rent, utilities and food. FI bills monthly cost directly to eMedNY; FI coordinates use of funds with participant to cover LIC expenses



# Future Choices in Self Direction: FI Supports Person

## Support Broker

- Selected by individuals to help them to self-direct/manage services: help in day-to-day management of SD services and provides support/training to individuals/families on ongoing SD decisions and tasks, or
- May be specialists hired by individuals on time-limited basis to achieve specific goal (service must not duplicate other waiver services or MSC)
- Extent of help and hourly rate are determined by individual and specified in written agreement between individual and broker; ¼ hour units are billed directly to eMedNY
- Broker is not permitted to provide other waiver services to an individual he/she serves



# Future Choices in Self Direction: FI Supports Person

## Individual Directed Goods & Services (IDGS)

(10/1/14)

- Are services, equipment, or supplies that addresses a need in the individual's service plan, such as:  
transportation, small kitchen appliances, laundry services, chore services, hippo-therapy, massage therapy, gym memberships, recreational activities, creative arts, other transportation
- For individuals living in non-certified settings
- Annual cap in \$3-\$5000 range (need CMS okay)
- Monthly expense billed directly to eMedNY in \$10 units



## Future Choices in Self Direction: **FI Supports Person**

**And**

**State Paid Items – including:**

- Housing subsidy
- Other Than Personal Services (OTPS) - annual cap = \$3000
- Monthly expenses billed to OPWDD



## Self Direction Model: Future Agency Supported Self Direction

Individual chooses to receive HCBS services from a voluntary Medicaid provider:

- Individual selects staff and agency hires staff (co-management)
- Person has employer authority
- Agency is Employer of Record
- Wage within agency scales for staffing

Individual with budget authority chooses to purchase services at provider wage which includes:

- Clinical Oversight
- Backup Staffing
- Program Management
- Behavioral Training



# Budget Template Changes

- New way to bill Self Directed Medicaid funded services – by specific service:
  - Community Habilitation
  - Respite
  - Supported Employment
  - Support Brokerage
  - Individual Directed Goods and Services
  - Live-In Caregiver
- Revised PRA
- Change in FI payment calculation and process



# Worksheet Changes

- New worksheets – designed to be better planning tool for individual/COS and broker, including:
  - Valued Outcomes and Safeguards
  - Schedule
  - Separate areas to calculate each service/support
    - ✓ Community Habilitation
    - ✓ Respite
    - ✓ Supported Employment
    - ✓ Support Brokerage
    - ✓ Individual Directed Goods and Services
    - ✓ Live-In Caregiver
    - ✓ Other Than Personal Services
    - ✓ Transportation



# Proposed FI Choices

## Level 1

- FI minimal involvement – FI might just bill IDGS, or bill and pay housing subsidy

## Level 2

- Individual manages staff hiring, negotiates wages
- Individual is Employer of Record
- FI supports individual with payroll/admin functions, performs background checks, same duties as Level 1

## Level 3

- Current model – FI manages billing and payment for all self-directed services for individual
- Assists individual in managing staff; provides training to individual on his or her employer responsibilities.
- Same duties as Level 2



# Changes for Fiscal Agencies

- Individual chooses degree of FI involvement; FI payment will not be determined based on the person's total budget amount
- Individual may choose to purchase “traditional” services directly from provider agencies, such as day habilitation.
- FI will no longer pay for traditional services; no more Memorandum Of Understanding (MOU) between FI and “traditional” service provider



# What Stays the Same? What Will Change?

- Stakeholder engagement is a priority
- Ability to self hire staff and implement customized plan of support with employer and budget authority doesn't change
- Required reforms create opportunity for design changes that will make self directed supports choice clearer and more direct
- Opportunity to expand self direction options and streamline access to self directed options
- Education will be provided on all of the changes



# What Stays the Same? What Will Change?

- Self direction of goods and services will be available as part of the plan: both as a waiver service (IDGS - October 1, 2014) and as a state paid option (OTPS). There will be specific rules about acceptable purchases and capped expense levels for these categories.
- Individuals and families can blend self hired and traditional services within their self-directed plan.
- Employer Authority Self Direction option will stay in place for the Community Habilitation, and will be added for respite and SEMP – uses MOU.



# What Stays the Same?

# What Will Change?

- Salaries for self hired staff may be decided by the individual who is self directing, within the allowed amount for the service category
- FI will provide administrative support for the individual's self hired staff and activities – may include:
  - background checks for identified staff,
  - required training,
  - HR and payroll functions,
  - monitoring the plan and resources to ensure appropriate implementation, and
  - documentation review and service billing based on delivered services.



# We Want You to Know

OPWDD is committed to ensuring:

- Continuity of supports - we expect almost all supports will continue uninterrupted
- Provision of needed technical assistance for plan conversions
- Opportunities for education and discussion will be available on a statewide and regional basis



# Questions & Answers

- Questions may be directed to the following email address:  
[self.direction.redesign@opwdd.ny.gov](mailto:self.direction.redesign@opwdd.ny.gov)