

ICF Transitions Plan Talking Points

8/18/15

Background

- As part of its 2014 Transformation Agreement with the federal Centers for Medicare & Medicaid Services (CMS), OPWDD adopted an ICF Transition Plan that outlines goals for reducing New York State's use of Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF-IIDs) over the next five years.
- CMS considers all ICFs, even those that are operated as community residences and not campuses, institutional in nature because services provided by ICFs are all inclusive, with little opportunity for individuals to have person-centered plans that respond uniquely to individuals' needs and desires for their lives.
- Minimizing the use of ICFs is important to ensure that each person who receives residential services is supported in an individualized way of his or her choosing in the community and among people without disabilities.
- Research is showing that people who leave institutional settings like ICFs and Developmental Centers (DCs) and move into community settings to receive individualized services find greater satisfaction and enjoyment in their lives, even people with significant needs for support.
- OPWDD's ICF Transition Plan affects Developmental Centers, State Operated community-based ICFs, and ICFs operated by voluntary provider agencies in the community.
- When OPWDD fully implements the reduction in ICF capacity according to the Plan, OPWDD will continue to provide 150 opportunities for campus-based institutional care for individuals who require intensive treatment and planning prior to community placement.
- In addition, OPWDD will continue to provide residential services to children in Children's Residential Projects (CRPs), which are specialized ICFs that have a school associated with them.
- When the Plan is fully implemented, OPWDD will no longer provide any services in State Operated ICFs or voluntary agency operated ICFs other than the limited campus-based capacity and the CRPs.

What does this mean for those who live in ICFs today?

- OPWDD will achieve the reduction in ICF use described in the ICF Transition Plan through several means. Some ICFs will likely convert to Individualized Residential Alternatives (IRAs – i.e., group homes) in the community that meet individuals' needs through individualized HCBS waiver services that are delivered according to individualized plans for community-based services, rather than in an all-inclusive setting like the ICF.

- Other ICFs will help the individuals they support to find new places to live in the community where their needs for services can be met and then will close completely.
- The plans for each existing ICF are not known yet.
- Each agency will work with OPWDD, the individuals they support and their family members and advocates to determine what is best for each person and exactly how each person's needs for supports and services can be met in a community setting.
- OPWDD understands that people with significant needs for behavioral support or medical support may be concerned about these changes. The agency is committed to ensuring that the supports and services each person needs are available to them in the community setting.
- Each person will be able to choose a Medicaid Service Coordinator (MSC) who will help him/her plan for individualized services.
- Planning will be directed by the individual and will include the ICF provider staff, the involved family members and advocates, and the Medicaid Service Coordinator.
- Planning will use OPWDD's new regional office intake process known as the Front Door, but people living in ICFs will have a simpler Front Door process than those who are coming to OPWDD for services for the first time.

Unanswered Questions – Stay Tuned

- OPWDD is continuing to better define the kinds of funding mechanisms that are needed to ensure each person's needs for support can be met in community settings.
- OPWDD is also examining what financial resources are needed to assist service providers to downsize ICFs.
- OPWDD is working with representatives from provider agencies to understand these funding questions, and will issue policy guidance as soon as possible.
- OPWDD is also examining what kinds of settings will best meet the new federal requirements for all Home and Community Based Waiver service settings and Person-Centered Planning for all those who receive waiver services.
- These regulations went into effect March 17, 2014, and OPWDD has proposed to CMS that all OPWDD HCBS settings be required to fully comply with them by October 2018.
- Currently, any ICF that supports 14 or fewer individuals can convert to an IRA without reducing capacity.