



Office for People With  
Developmental Disabilities

# **Overview of 1915 (c) Comprehensive HCBS Waiver Renewal**

## **Effective October 1, 2014**

January 13, 2016

# Today's Topics

## Public Comment

- When is the comment period?
- How can you submit comments?

## What is the Waiver?

- How does the Waiver work?
- How is the Application Organized?

## What Has Been Updated?

- State/Federal Policies
- Proposed Changes



# Where can I find the Waiver?

The OPWDD Comprehensive Waiver Renewal Application is published on the OPWDD Website:

[http://www.opwdd.ny.gov/opwdd\\_services\\_supports/people\\_first\\_waiver/renewal](http://www.opwdd.ny.gov/opwdd_services_supports/people_first_waiver/renewal)



# Public Comment

When is the  
Comment Period?

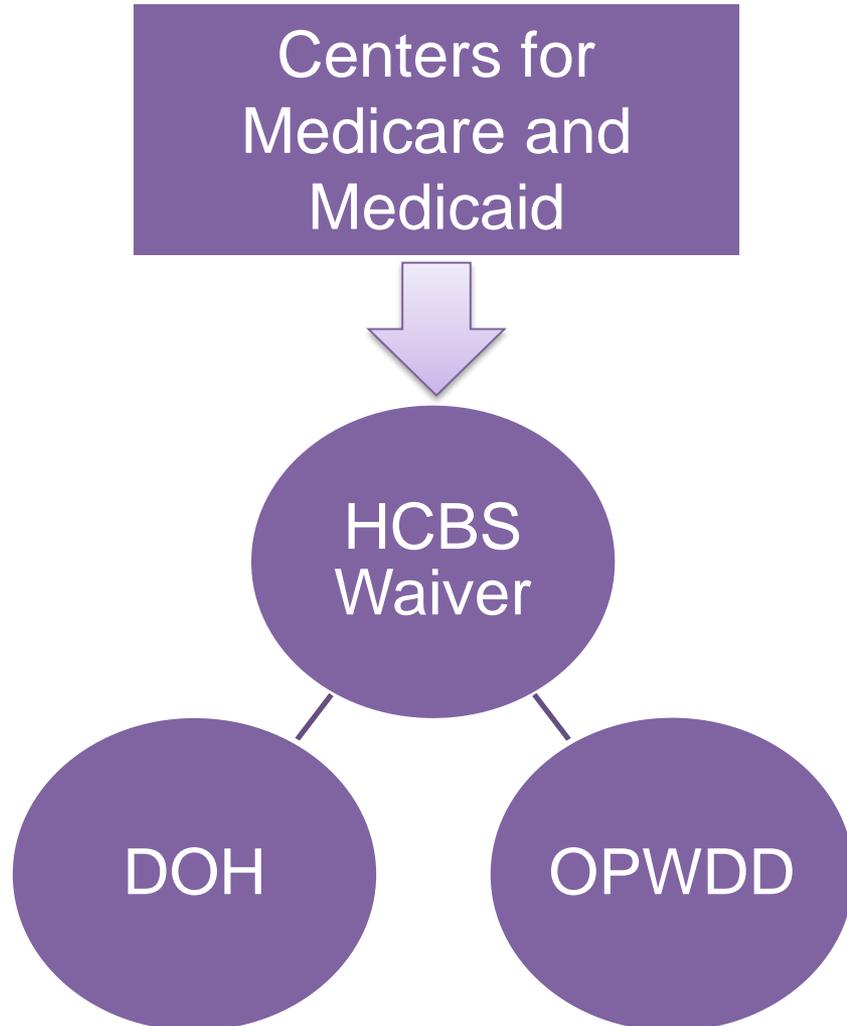
- [Waiver renewal](#) posted to OPWDD Website on December 23, 2015
- Written comments accepted through January 25, 2016.

How can you  
submit  
comments?

- Mail To:  
OPWDD  
Attention: Div of Person Centered Supports  
44 Holland Ave 4th Floor  
Albany, NY 12229
- [E-mail: Peoplefirstwaiver@opwdd.ny.gov](mailto:Peoplefirstwaiver@opwdd.ny.gov)



# What is the Waiver?



- NYS authority to provide HCBS to individuals with intellectual and developmental disabilities.
- Collaboration of work between OPWDD and DOH.
- Approval by CMS.

# How Does the Waiver Work?

1915 (c) HCBS Waiver

6 Main Waiver Assurances

Appendices A-J

Addendum A and B



# How is the Waiver Organized?

## Main

- Purpose and Review of Application
- Pages 2-12

## Appendix A

- Waiver Administration and Operation
- DOH and OPWDD responsibilities
- Pages 13-25

## Appendix B

- Participant Access and Eligibility
- Waiver access and eligibility processes
- Pages 26-42



# How is the Waiver Organized?

## Appendix C

- Participant Services
- Description of waiver services including service limits and provider qualifications
- Pages 43-116

## Appendix D

- Participant-Centered Planning and Service Delivery
- Care coordination
- Pages 117-140

## Appendix E

- Participant Direction of Services
- Self-Direction
- Pages 141-154



# How is the Waiver Organized?

## Appendix F

- Participant Rights
- Fair Hearing, additional dispute resolution process, and NYS grievance/compliant system
- Pages 155-157

## Appendix G

- Participant Safeguards
- Critical events or incidents, restraints and restrictive interventions, medication management and administration
- Pages 158-177

## Appendix H

- Quality Improvement Strategy
- NYS DOH and OPWDD internal and external processes for waiver quality improvement
- Pages 178-182



# How is the Waiver Organized?

## Appendix I

- Financial Accountability
- Waiver audit procedures
- Pages 183-206

## Appendix J

- Cost-Neutrality Demonstration
- Fiscal projections for Fee-For-Service and Managed Care throughout five year waiver period 2014-2019
- Pages 207-216

# How is the Waiver Organized?

## Addendum A

- Rate methodology language for waiver services
  - Pages 217-319, 472-485
- Agency specific rate charts
  - Pages 320-471

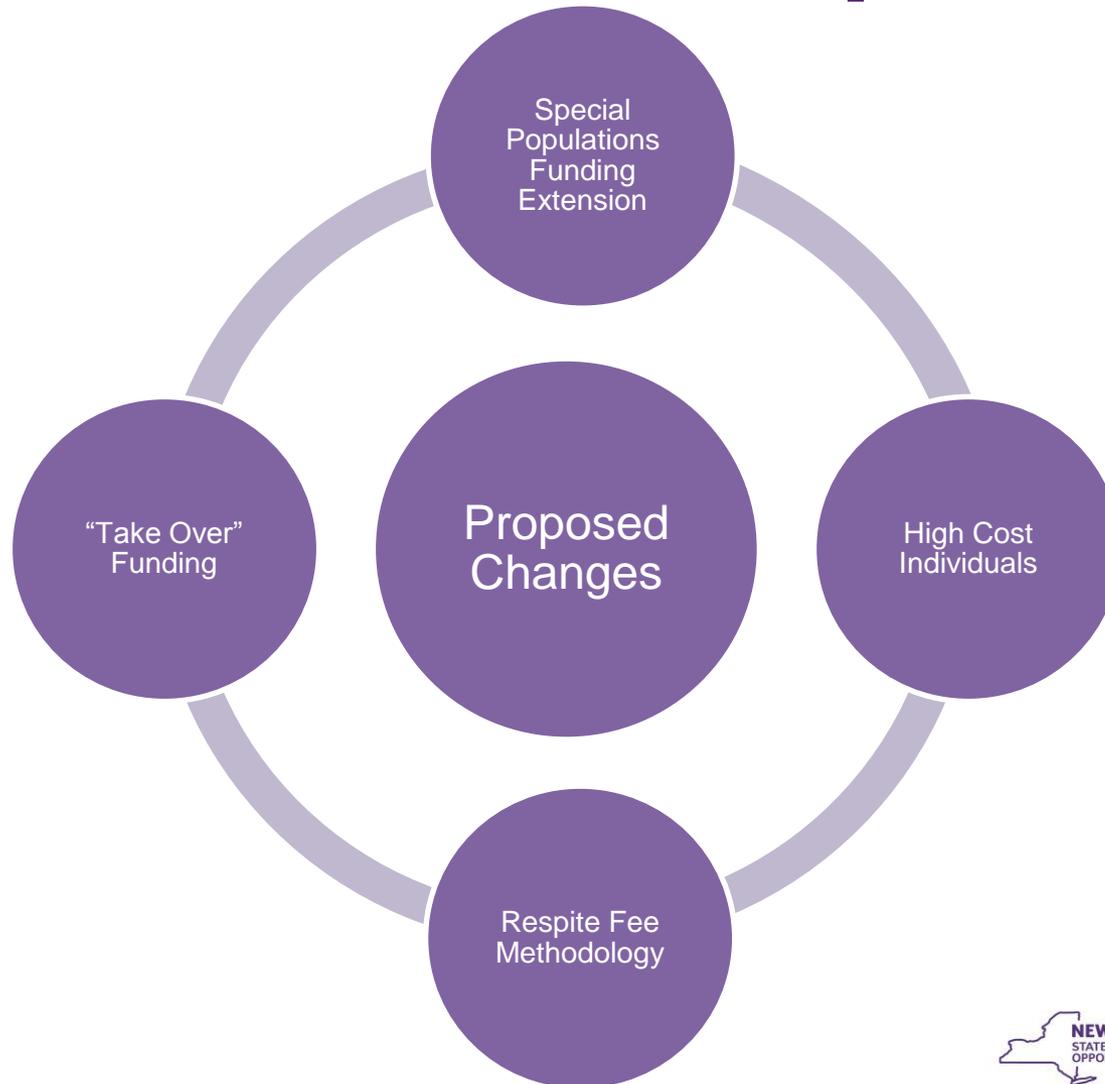
## Addendum B

- Provider enrollment requirements and issuance of Medicaid Provider numbers
- Pages 486-487

# Reflecting Operational changes Since 10/1/2014



# What Has Been Updated?



# Operational Changes

## Fully Integrated Duals Advantage for Individuals with Developmental Disabilities (FIDA-IDD)

[http://www.opwdd.ny.gov/opwdd\\_services\\_supports/people\\_first\\_waiver/care\\_management/FIDA\\_IDD](http://www.opwdd.ny.gov/opwdd_services_supports/people_first_waiver/care_management/FIDA_IDD).

- Appendix C: Qualified Providers who may operate under Managed Care
- Appendix D: Care management
- Appendix F: Grievance & Appeal Processes for FIDA-IDD enrollees
- Appendix J: Fiscal estimates



# Operational Changes

## Self Direction Redesign/CSS Elimination (2014)

- Appendices C and E.
- WebEx session and public comment periods were available in 2014.

## Outside Service Changes (2015)

- Including the sunset of Individual Day Habilitation on 9/30/2015.
- Appendix C and Addendum A-12.
- WebEx sessions conducted in 2015.



# Operational Changes

## HCBS Settings Transition Plan (part of NYS Transition Plan)

- Update of the actions OPWDD will take or has taken to assure full compliance with Federal HCBS Settings requirements effective March 17, 2014.
- Main Attachment #2 and Appendix C-5.
- WebEx sessions and public comment periods conducted in 2014 and 2015.
- More information regarding the HCBS Transition Plan available:  
[http://www.opwdd.ny.gov/opwdd\\_services\\_supports/HCBS/home](http://www.opwdd.ny.gov/opwdd_services_supports/HCBS/home).



# Operational Changes

## Participant Safeguards

- Appendix G
- Updated based on Part 624 and 625 Regulations and the implementation of The Protection of People with Special Needs Act (including the creation of The NYS Justice Center for the Protection of People with Special Needs)

## Quality Improvement Strategy

- Appendix H
- Updated to reflect public outreach, HCBS settings transformation, and person-centered planning.



# Additional Information available about Operational Changes

FIDA -- [http://www.opwdd.ny.gov/opwdd\\_services\\_supports/people\\_first\\_waiver/care\\_management/FIDA\\_IDD](http://www.opwdd.ny.gov/opwdd_services_supports/people_first_waiver/care_management/FIDA_IDD)

2014 Self Direction Redesign -- <http://www.opwdd.ny.gov/selfdirection>

Safeguards –

[http://www.opwdd.ny.gov/opwdd\\_resources/incident\\_management/justice\\_center](http://www.opwdd.ny.gov/opwdd_resources/incident_management/justice_center)

Quality Improvement –

[http://www.opwdd.ny.gov/opwdd\\_about/action\\_updates/ensuring\\_quality/quality\\_management](http://www.opwdd.ny.gov/opwdd_about/action_updates/ensuring_quality/quality_management) and  
[http://www.opwdd.ny.gov/opwdd\\_about/commissioners\\_page/transformation-panel](http://www.opwdd.ny.gov/opwdd_about/commissioners_page/transformation-panel)

HCBS Settings Transition Plan --

[http://www.opwdd.ny.gov/opwdd\\_services\\_supports/HCBS/transition-plan](http://www.opwdd.ny.gov/opwdd_services_supports/HCBS/transition-plan) and  
[https://www.health.ny.gov/health\\_care/medicaid/redesign/home\\_community\\_based\\_settings.htm](https://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm)

Service Changes --

[http://www.opwdd.ny.gov/opwdd\\_services\\_supports/people\\_first\\_waiver/HCBS\\_services/service\\_changes](http://www.opwdd.ny.gov/opwdd_services_supports/people_first_waiver/HCBS_services/service_changes)



# Proposed Changes

## Special Populations Funding Extension

- Addendum A –
- Inclusion of individuals transitioning from Institutions beginning 3/31/2013.
- On line – p. 277

## High Cost Individuals

- Addendum A
- Proposal to address needs of individuals who do not have a history of institutional placement.
- On line – p. 305



# Proposed Changes

## Respite Fee Methodology

- Addendum A
- Proposal implements a two year transitional period to a new fee methodology effective to replace rate reform methodology.
- On-line – p. 302

## “Take Over” Funding

- Proposal for the State to pay the higher of calculated rate when associated programs are ‘taken over’ by another provider.
- On-line – p. 306



# Contact Us

People First Waiver Mailbox

[peoplefirstwaiver@opwdd.ny.gov](mailto:peoplefirstwaiver@opwdd.ny.gov)



# Questions/Discussion