

Colorado Department of Human Services Division for Developmental Disabilities

Waiver Redesign Workgroup

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October 29, 2013

Medicaid: 101



Colorado's Services for Adults with Intellectual & Developmental Disabilities



The Road Ahead



Resources



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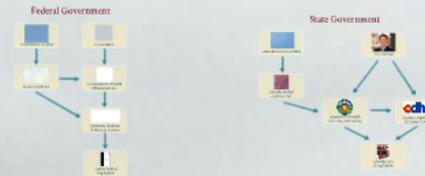
Medicaid: 101

Medicaid Basics

- Social Security Amendments of 1965
 - Voluntary Federal-State Partnership
- Medical Care to Low-Income Americans
- Federal Medical Assistance Percentage (FMAP)
 - 50% - 83% Depending on State's Per Capita Income
 - Colorado FMAP is 50%



Medicaid Governance



Medicaid Home & Community-Based Services (HCBS)

Service Delivery Models

- Provider Services
 - Certain Federally Approved Provider Agencies
 - Statewide Provider Networks
 - Provider Relief Fund for Losses Services Delivered
- Managed Care
 - State Plan Modified or Approved By: Managed Care Regulation (MCR)
 - Results and Provider Participation
 - MCR is Part of Integrated Agency State
- Partnership Structures
 - Partnership used for Implementation of Managed Service Delivery
 - Eligible Activities
 - Budget Authority

Statutory Authorities

42 CFR 431.101 - 431.102

42 CFR 431.103 - 431.104

42 CFR 431.105 - 431.106

42 CFR 431.107 - 431.108

42 CFR 431.109 - 431.110

42 CFR 431.111 - 431.112

42 CFR 431.113 - 431.114

42 CFR 431.115 - 431.116

42 CFR 431.117 - 431.118

42 CFR 431.119 - 431.120

42 CFR 431.121 - 431.122

42 CFR 431.123 - 431.124

42 CFR 431.125 - 431.126

42 CFR 431.127 - 431.128

42 CFR 431.129 - 431.130

42 CFR 431.131 - 431.132

42 CFR 431.133 - 431.134

42 CFR 431.135 - 431.136

42 CFR 431.137 - 431.138

42 CFR 431.139 - 431.140

42 CFR 431.141 - 431.142

42 CFR 431.143 - 431.144

42 CFR 431.145 - 431.146

42 CFR 431.147 - 431.148

42 CFR 431.149 - 431.150

42 CFR 431.151 - 431.152

42 CFR 431.153 - 431.154

42 CFR 431.155 - 431.156

42 CFR 431.157 - 431.158

42 CFR 431.159 - 431.160

42 CFR 431.161 - 431.162

42 CFR 431.163 - 431.164

42 CFR 431.165 - 431.166

42 CFR 431.167 - 431.168

42 CFR 431.169 - 431.170

42 CFR 431.171 - 431.172

42 CFR 431.173 - 431.174

42 CFR 431.175 - 431.176

42 CFR 431.177 - 431.178

42 CFR 431.179 - 431.180

42 CFR 431.181 - 431.182

42 CFR 431.183 - 431.184

42 CFR 431.185 - 431.186

42 CFR 431.187 - 431.188

42 CFR 431.189 - 431.190

42 CFR 431.191 - 431.192

42 CFR 431.193 - 431.194

42 CFR 431.195 - 431.196

42 CFR 431.197 - 431.198

42 CFR 431.199 - 431.200

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The State Plan

- Contract Between State & Federal Governments
- Describes the State's Medicaid Program Administration
- Assures Compliance with Federal Regulations

Mandatory Benefits

- Hospital Services
- Physician Services
- Nursing Facility Services
- Early & Periodic Screening, Diagnostic, & Treatment (EPSDT) Services
- Home Health Services
- Laboratory & X-Ray Services
- Etc.

Optional Benefits

- Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/ID)
- Prescription Drugs
- Physical, Occupational, & Speech Therapies
- Personal Care
- Home & Community-Based Services
- Etc.

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Mandatory Benefits

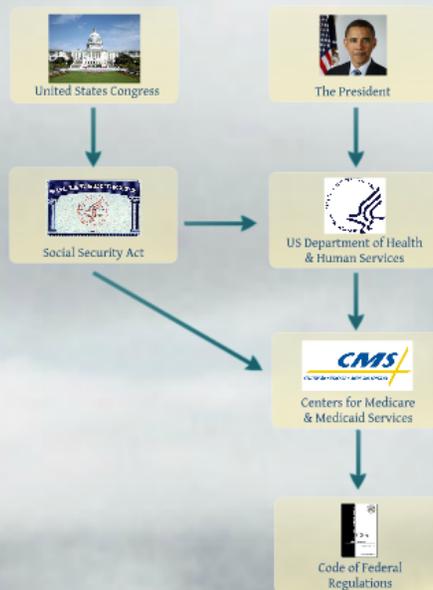
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Medicaid Governance

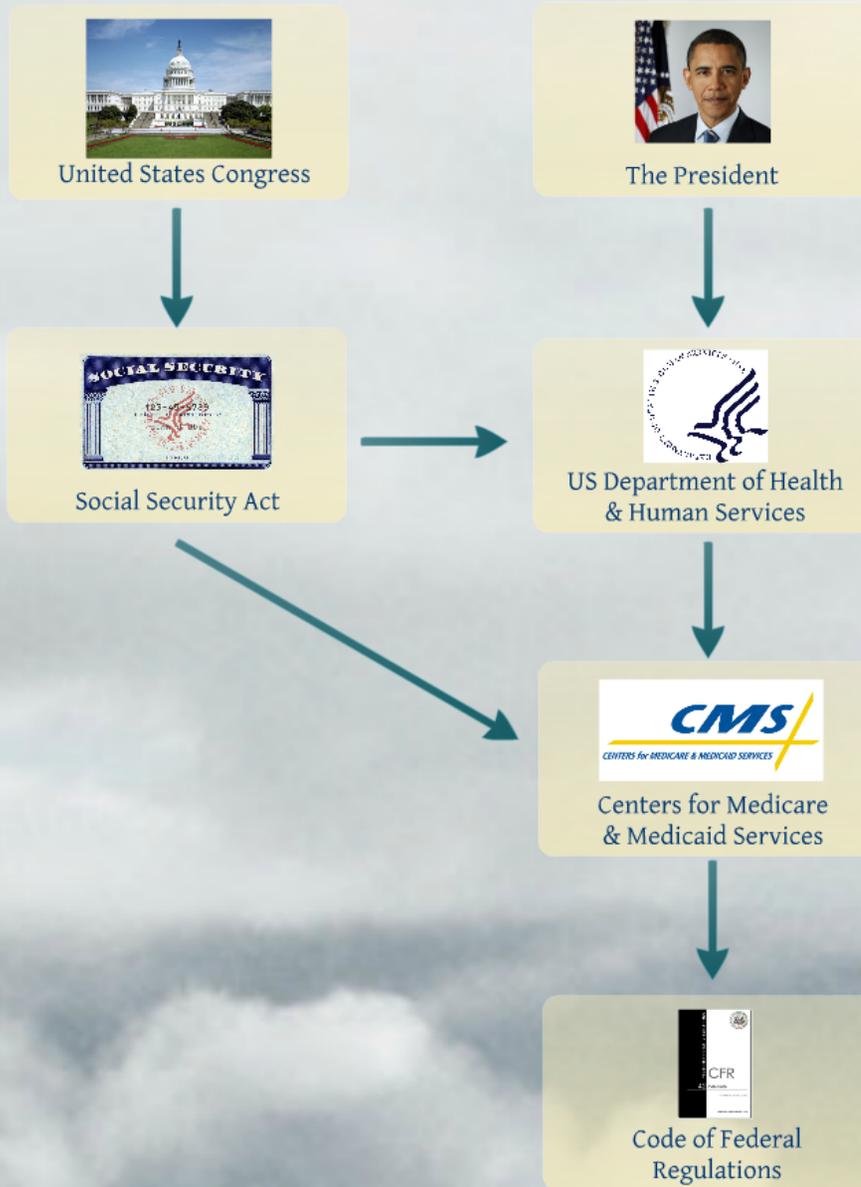
Federal Government



State Government



Federal Government



State Government



Medicaid Home & Community-Based Services (HCBS)

Service Delivery Models

- Fee-For-Service
 - Services Delivered by Approved Provider Agencies
 - Unrestricted Provider Enrollment
 - Providers Paid a Rate for Each Service Delivered
- Managed Care
 - Services Provided or Arranged by Managed Care Organization (MCO)
 - Restricted Provider Enrollment
 - MCOs Paid a Negotiated Monthly Rate
- Participant Direction
 - Participants and/or Representatives Manage Service Delivery
 - Employer Authority
 - Budget Authority

Statutory Authorities

§1915(d) Managed Care Waivers

Purpose: To allow Home & Community-Based Services to be provided through managed care organizations.

Key Features:

- May be used for a limited number of services.
- May be used for a limited number of individuals.
- May be used for a limited number of counties.
- May be used for a limited number of providers.
- May be used for a limited number of services.

§1915(i) HCBS Waivers

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§1915(j) State Plan HCBS

Purpose: To allow Home & Community-Based Services to be provided through managed care organizations.

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- May be used for a limited number of individuals.
- May be used for a limited number of counties.
- May be used for a limited number of providers.
- May be used for a limited number of services.

§1915(k) Self-Directed Personal Assistance

Purpose: To allow Home & Community-Based Services to be provided through managed care organizations.

Key Features:

- May be used for a limited number of services.
- May be used for a limited number of individuals.
- May be used for a limited number of counties.
- May be used for a limited number of providers.
- May be used for a limited number of services.

§1915(l) Community First Choice

Purpose: To allow Home & Community-Based Services to be provided through managed care organizations.

Key Features:

- May be used for a limited number of services.
- May be used for a limited number of individuals.
- May be used for a limited number of counties.
- May be used for a limited number of providers.
- May be used for a limited number of services.

§1915(m) Research & Demonstration Program

Purpose: To allow Home & Community-Based Services to be provided through managed care organizations.

Key Features:

- May be used for a limited number of services.
- May be used for a limited number of individuals.
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Service Delivery Models

- Fee-For-Service
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- Participant Direction
 - Participants and/or Representatives Manage Service Delivery
 - Employer Authority
 - Budget Authority

Statutory Authorities

§1915(b) Managed Care Waivers

Purpose: To Deliver Services Through a Managed Care Organization

Key Features:

- Does Not Expand Medicaid Eligibility
- May Restrict Types of Providers for Medicaid Benefits
- May Allow Local Government to Act as Broker for Managed Care Plans
- May Use Savings to Provide Additional Services
- May Restrict Number or Type of Providers for a Specific Service
- May Exclude Populations
- May Waive Comparability, Freedom of Choice, & Statewide Access
- Must Not Substantially Impair Access to Services
- Must be Cost Effective
 - Average Per Person Cost May Not Exceed Comparable Fee-For-Service Cost

§1915(i) State Plan HCBS

Purpose: To Offer Home & Community-Based Services as Optional State Plan Benefits

Key Features:

- May Expand Financial Eligibility
- Level of Care Requirements May Apply
- May Not Limit Geographically
- May Target Populations
- No Cost Demonstration Requirement
- May Not Limit Number of Participants

§1915(k) Community First Choice

Purpose: To Offer Community-Based Attendant Support Services as Optional State Plan Benefits

Key Features:

- Does Not Expand Medicaid Eligibility
- Level of Care Requirements May Apply
- May Not Limit Geographically
- Limited to Services that:
 - Assist in Accomplishing Activities of Daily Living or Instrumental Activities of Daily Living, or
 - Substitute for Human Assistance
- May Not Limit Number of Participants
- Additional 6% FMAP
- State Must Maintain or Exceed Level of Expenditure in First Fiscal Year

§1915(c) HCBS Waivers

Purpose: To Offer Home & Community-Based Services as an Alternative to Institutional Services

Key Features:

- May Expand Financial Eligibility
- May Waive Comparability & Statewide Access
- Participants Must Meet Level of Care Requirements
- Must Choose from Three Major Target Populations
 - State May Further Define Target Populations
- Must be Cost Neutral
 - Average Per Person Cost May Not Exceed Comparable Institutional Average Per Person Cost
- May Limit Number of Participants

§1915(j) Self-Directed Personal Assistance Services

Purpose: To Allow the Participant Direction of Personal Assistance Services

Key Features:

- Does Not Expand Medicaid Eligibility
- Employer & Budget Authority Required
- May Limit Geographically
- May Target Populations
- Must be Combined with a 1915(c) Waiver or State Plan Personal Care Benefit
- May Limit Number of Participants

§1115 Research & Demonstration Programs

Purpose: To Implement an Experiment, Pilot, or Demonstration Project Intended to Improve the Medicaid Program

Key Features:

- Broad Waiver Authority
 - Granted at the Discretion of the Secretary
 - Greatest Flexibility
 - Rigorous & Lengthy Approval Process
- Must Contain Hypothesis and Evaluation Plan
- Must be Budget Neutral
 - State Must Demonstrate Federal Expenditures Would Not Increase

§1915(b) Managed Care Waivers

Purpose: To Deliver Services Through a Managed Care Organization

Key Features:

- Does Not Expand Medicaid Eligibility
- May Restrict Types of Providers for Medicaid Benefits
- May Allow Local Government to Act as Broker for Managed Care Plans
- May Use Savings to Provide Additional Services
- May Restrict Number or Type of Providers for a Specific Service
- May Exclude Populations
- May Waive Comparability, Freedom of Choice, & Statewideness
- Must Not Substantially Impair Access to Services
- Must be Cost Effective
 - Average Per Person Cost May Not Exceed Comparable Fee-For-Service Cost

§1915(c) HCBS Waivers

Purpose: To Offer Home & Community-Based Services as an Alternative to Institutional Services

Key Features:

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- Participants Must Meet Level of Care Requirements
- Must Choose from Three Major Target Populations
 - State May Further Define Target Populations
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- No Cost Demonstration Requirement
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Purpose: To Allow the Participant Direction of Personal Assistance Services

Key Features:

- Does Not Expand Medicaid Eligibility
- Employer & Budget Authority Required
- May Limit Geographically
- May Target Populations
- Must be Combined with a 1915(c) Waiver or State Plan Personal Care Benefit
- May Limit Number of Participants

§1915(k) Community First Choice

Purpose: To Offer Community-Based Attendant Support Services as Optional State Plan Benefits

Key Features:

- Does Not Expand Medicaid Eligibility
- Level of Care Requirements May Apply
- May Not Limit Geographically
- Limited to Services that:
 - Assist in Accomplishing Activities of Daily Living or Instrumental Activities of Daily Living; or
 - Substitute for Human Assistance
- May Not Limit Number of Participants
- Additional 6% FMAP
- State Must Maintain or Exceed Level of Expenditure in First Fiscal Year

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Colorado's Services for Adults with Intellectual & Developmental Disabilities

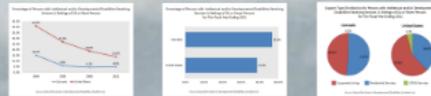
Brief History of Services for People with Intellectual & Developmental Disabilities



Services & Supports for Coloradans with Intellectual & Developmental Disabilities

Three informational boxes detailing services for Coloradans with intellectual and developmental disabilities. The first box is titled 'In-Home Services for Adults with Developmental Disabilities' and lists various support services. The second box is titled 'Youthful Offenders Services' and describes programs for young people. The third box is titled 'Sector Partners' and lists various community organizations and their roles.

A Leader in Home & Community-Based Services



Brief History of Services for People with Intellectual & Developmental Disabilities



1800's

- Prior to 1800's
 - Family Care
 - Informal Institutions
- Establishment of Formal Institutions
 - First Attempts at Intervention
 - Built on Model of Segregation & Rehabilitation



Early - Middle 1900's

- Legal Protections & Entitlements
- Creation of the Arcs
- Early Intervention Leads to Fewer Childhood Diagnoses
- Research Refutes False Claims of Causation



1980's - 1990's

- Deinstitutionalization Movement
 - Medicaid Home & Community-Based Services Waivers
 - Community Group & Residential Supports
- Additional Legal Protections & Entitlements
 - Americans with Disabilities Act
 - Supreme Court Olmstead Ruling



Today

- Continued Focus on Community Living & Deinstitutionalization
 - Money Follows the Person
- Person-Centered Thinking
- Self Determination
- Supports & Opportunities for Self Sufficiency, Building Relationships, & Greater Control of Life Circumstances



Services & Supports for Coloradans with Intellectual & Developmental Disabilities

HCBS Waivers for Adults with Developmental Disabilities

Home & Community-Based Services for Persons with Developmental Disabilities (HCBS-DD)

HCBS-DD is a waiver program that allows individuals with developmental disabilities to live in their homes and communities instead of institutional settings.

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Home & Community-Based Services - Supported Living Services (HCBS-SLS)

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Non-Medicaid Supports & Services

State-Funded Supported Living Services (State SLS)

- Provides services for adults who are not eligible for Medicaid and who either can live independently with limited supports or who, if they need extensive support, are getting that support from other sources, such as their family

Family Support Services

- Provides support for families who have a member with a developmental disability or delay with costs that are beyond those normally experienced by other families

Family Support Loan Program

- Provides access to short-term low interest rate loans in order to obtain family support services, which help to maintain a dependent family member with a developmental disability in the home

Service Delivery

Fee-For-Service Providers

- Program Approved Service Agencies (PASAs)

Community Centered Boards (CCBs)

- Single Entry Point Functions
 - Level of Care Determination
 - Verification of Target Criteria
- Targeted Case Management
 - Service Planning and Coordination
- Fee-For-Service Provider

HCBS Waivers for Adults with Developmental Disabilities

Home & Community-Based Services for Persons with Developmental Disabilities (HCBS -DD)

Purpose:

To provide services and/or supports to individuals with developmental disabilities who are in need of services and supports 24 hours a day that will allow them to live safely and participate in the community

Target Population:

- Intermediate Care Facilities for Individuals with Intellectual Disability (ICF/ID) Level of Care
- 18 Years & Older with a Developmental Disability

Services:

- Day Habilitation
- Prevocational Services
- Residential Habilitation
- Supported Employment
- Dental Services
- Vision Services
- Behavioral Services
- Non-Medical Transportation
- Specialized Medical Equipment & Supplies

Home & Community-Based Services - Supported Living Services (HCBS-SLS)

Purpose:

To provide a variety of services to adults with developmental disabilities who are able to live independently with limited paid supports or who also receive extensive supports from other sources. HCBS-SLS participants live in their own homes or in family homes

Target Population:

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Services:

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- Homemaker Services
- Personal Care
- Prevocational Services
- Respite Care
- Supported Employment
- Dental Services
- Vision Services
- Behavioral Services
- Home Accessibility Adaptations
- Mentorship
- Non-Medical Transportation
- Personal Emergency Response Systems
- Professional Services
- Specialized Medical Equipment & Supplies
- Vehicle Modifications

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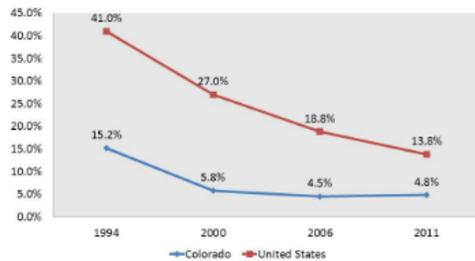
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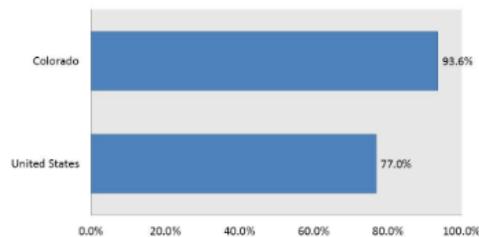
A Leader in Home & Community-Based Services

Percentage of Persons with Intellectual and/or Developmental Disabilities Receiving Services in Settings of 16 or More Persons



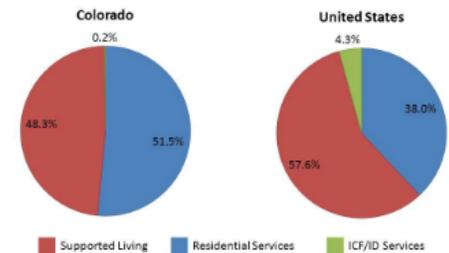
Source: State of the States in Developmental Disabilities, Braddock et al.

Percentage of Persons with Intellectual and/or Developmental Disabilities Receiving Services in Settings of Six or Fewer Persons For The Fiscal Year Ending 2011



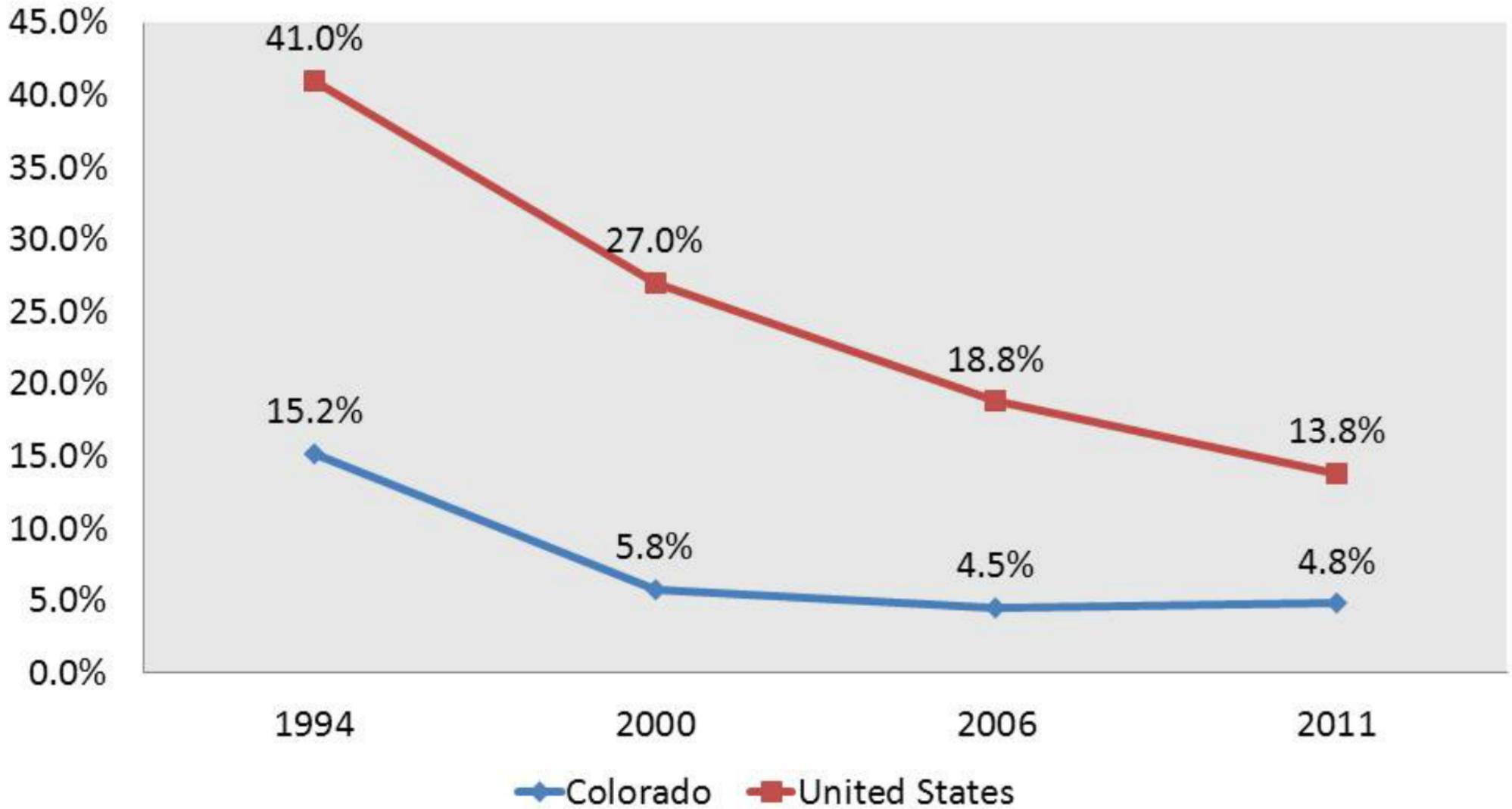
Source: State of the States in Developmental Disabilities, Braddock et al.

Support Type Distribution for Persons with Intellectual and/or Developmental Disabilities Receiving Services in Settings of Six or Fewer Persons For The Fiscal Year Ending 2011

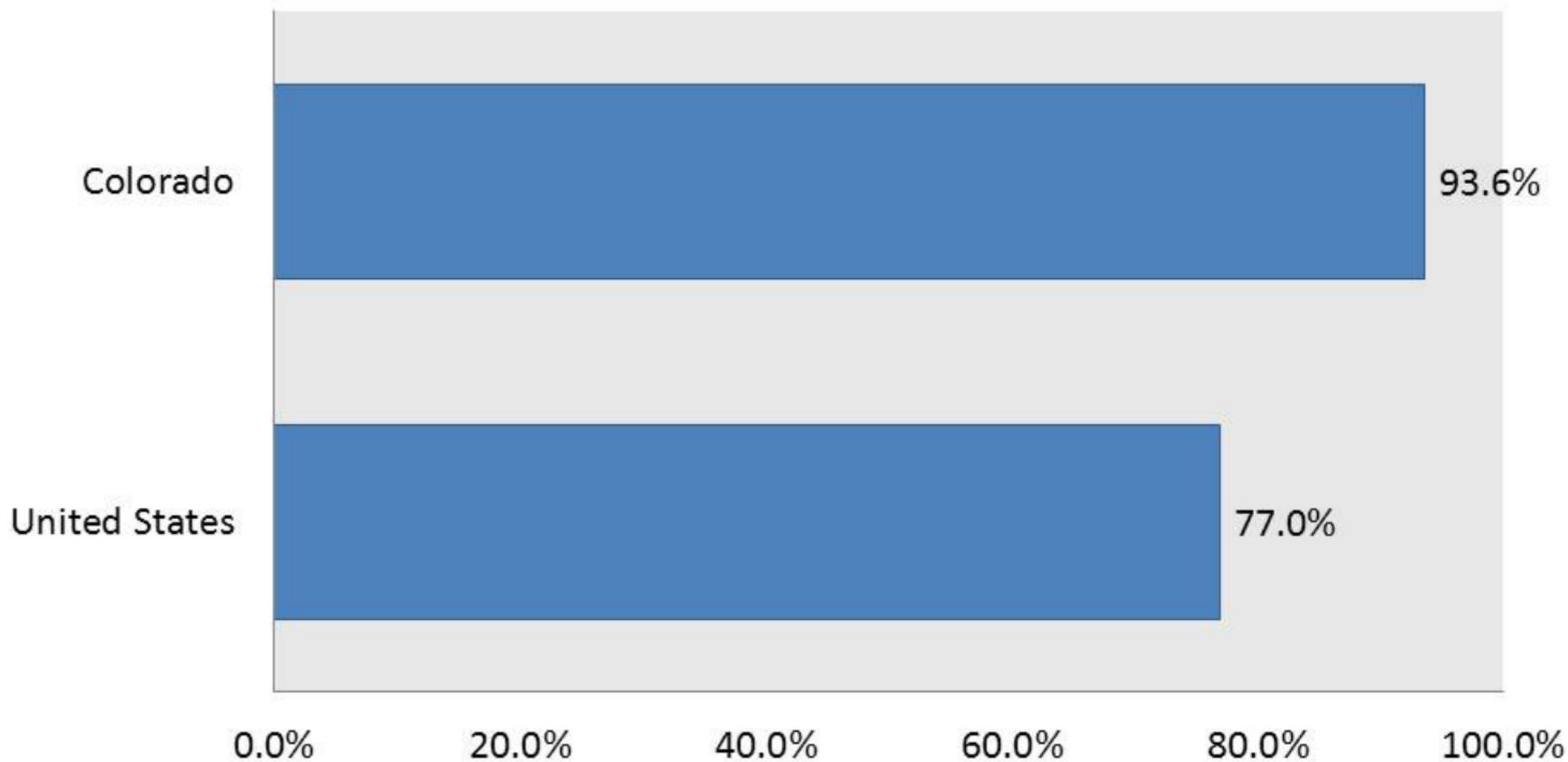


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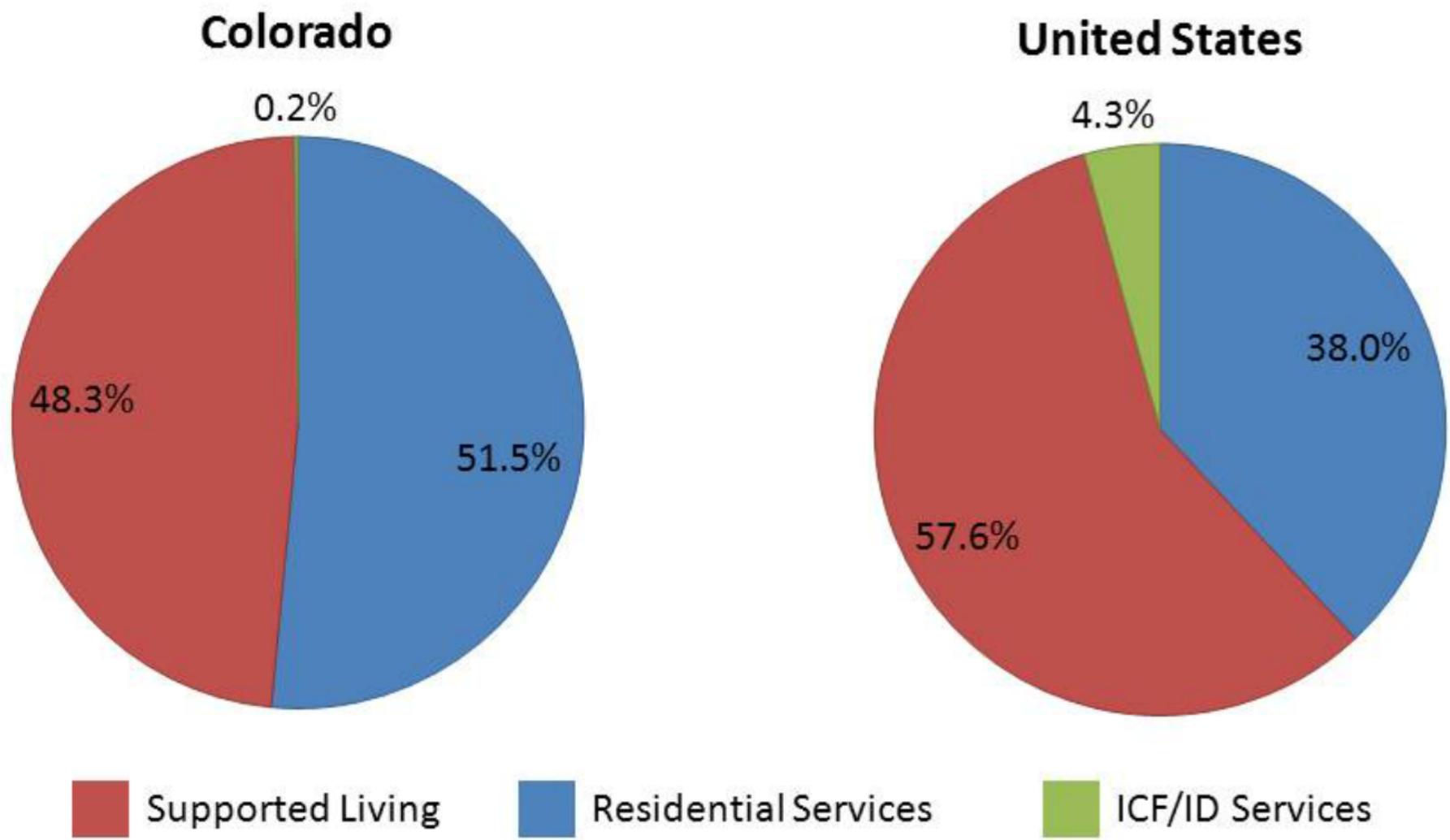
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Support Type Distribution for Persons with Intellectual and/or Developmental Disabilities Receiving Services in Settings of Six or Fewer Persons For The Fiscal Year Ending 2011



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The Road Ahead

Drivers for Change

Inflexibility

- System Centered
- Lack of Choice & Control

Limitations

- Delivery Options
- Service Definitions
- Plan Restraints

Access

- Forced Choice
- Overly Restrictive
- Inadequate



Our Charge

Community Living Advisory Group Recommendation

- Explore Redesigned HCBS Waiver
 - Services Based Upon Participant Needs & Preferences
- Principles:
 - Freedom of Choice
 - Participant Authority Over Services & Supports
 - Support to Organize Resources
 - Health & Safety Assurances
 - Opportunities for Contribution
 - Responsible Use of Public Dollars

Drivers for Change

Inflexibility

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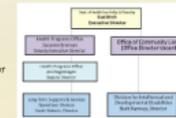
Office of Community Living

Established by Executive Order
• Department of Health Care Policy & Financing
• Better Align Service & Supports
• Reduce Complexity & Fragmentation
• Prepare Long-Term Services & Supports for the Future



House Bill 13-1314

• Creates the Division for Intellectual & Developmental Disabilities
• Within Office of Community Living
• March 2014 - Administrative Authority for IDD-Operated Programs Transfers to Department of Health Care Policy & Financing



Community Living Advisory Group

Established by Executive Order
• Ensure responsiveness, flexibility, accountability, and self-directed services and supports for all eligible persons
• Final Recommendations to Governor September 30, 2014

Subcommittees
• Care Coordination
• Entry Point & Eligibility
• Regulatory Subcommittee
• Waiver Simplification

Office of Community Living

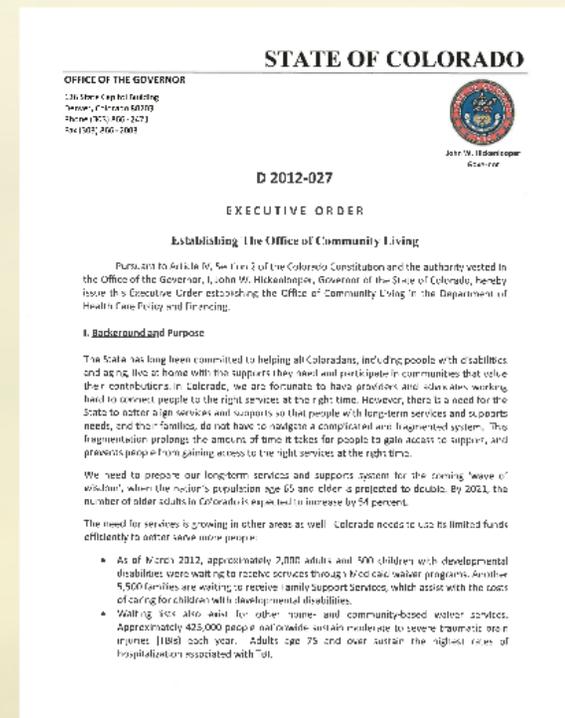
Established by Executive Order

- Department of Health Care Policy & Financing

Better Align Service & Supports

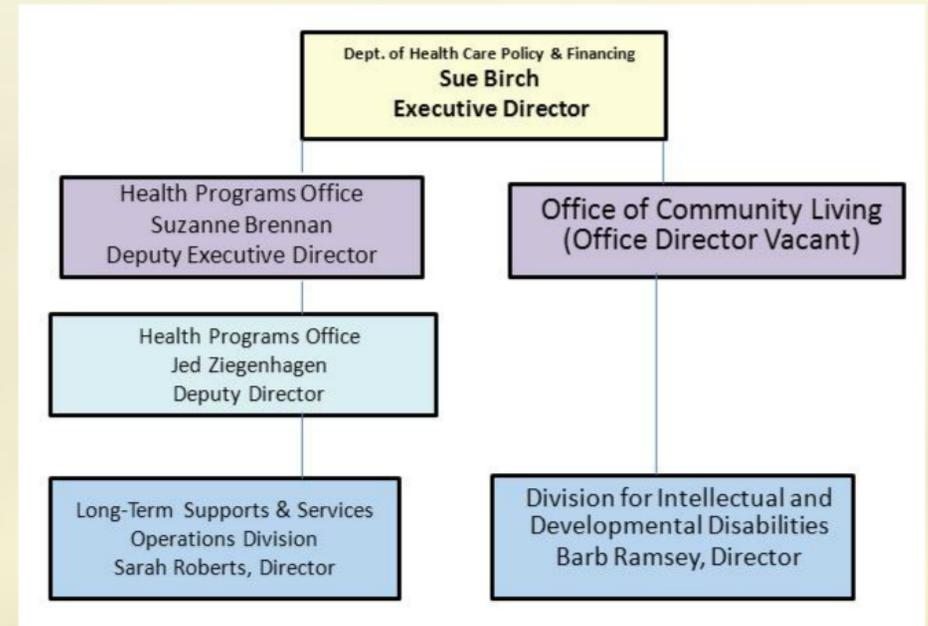
- Reduce Complication & Fragmentation

Prepare Long-Term Services & Supports for the Future



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Resources

Code of Federal Regulations

<http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>

Colorado Department of Human Services - Division for Developmental Disabilities

<http://www.colorado.gov/cdhs/ddd>

Colorado Department of Health Care Policy & Financing

<http://www.colorado.gov/hcpf>

The Colorado State Plan

<http://www.colorado.gov/cs/Satellite/HCPF/HCPF/1197969486289>

Explore Medicaid Benefits

<http://www.colorado.gov/cs/Satellite?c=Page&childpagename=HCPF%2FHCPFLayout&cid=1251647237611&pagename=HCPFWrapper>

Long-Term Supports & Services

<http://www.colorado.gov/cs/Satellite/HCPF/HCPF/1197969485604>

History of Intellectual Disability

http://www.cirrie.buffalo.edu/encyclopedia/en/pdf/history_of_intellectual_disability.pdf

Medicaid: A Primer

<http://www.kff.org/medicaid/issue-brief/medicaid-a-primer/>

Medicaid.gov

<http://www.medicaid.gov/>

Social Security Act - Title XIX

http://www.ssa.gov/OP_Home/ssact/title19/1900.htm

Understanding Medicaid Home & Community Services: A Primer

<http://www.aspe.hhs.gov/daltcp/reports/2010/primer10.pdf>