



Maryland  
DEPARTMENT OF HEALTH

# Developmental Disabilities Administration (DDA) Family Supports, Community Supports, and Community Pathways Waiver Renewals 2023

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# Today's Purpose

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- To share an overview of the Developmental Disabilities Administration's (DDA) operated Home and Community-Based Medicaid Waiver
  - Family Supports Waiver
  - Community Supports Waiver
  - Community Pathways Waiver
- To share an overview of federal waiver renewal requirement
- To share overview of proposed waiver renewal changes
- To share information related to the public comment process

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## **Waiver Overview**

# What are DDA Waivers?

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The Developmental Disabilities Administration (DDA) administers the following Waiver Programs on behalf of Maryland Medicaid

## Family Supports Waiver

- Children birth to 21 years old
- Various Support Services

## Community Supports Waiver

- Children and Adults
- New applicants – 18 years and older
- Meaningful Day and Support Services

## Community Pathways Waiver

- Children and Adults
- New applications – 18 years and older in need of residential services
- Meaningful Day, Support, and Residential Services

# Medicaid Waiver Application Components

Main	Purpose of HCBS Waiver Program, Brief Description, and Transition Plan
Appendix A	Waiver Administration and Operations
Appendix B	Participant Access and Eligibility (Target group, number of participants, Medicaid eligibility, and Level of Care)
Appendix C	Participant Services (Scope, requirements, limits, service delivery models, and provider qualifications)
Appendix D	Participant-Centered Service Planning and Delivery
Appendix E	Participant-Direction of Services (also know as Self-Direction)
Appendix F	Participant Rights (Medicaid Hearing, Cases Review Conference, and Complaints)
Appendix G	Participant Safeguards (Medications, Restraints, Restrictions)
Appendix H	Quality Improvement Strategy
Appendix I	Financial Accountability (Payment methods, Audits)
Appendix J	Cost-Neutrality Demonstration (Projected service use and cost)



# Support Services

FSW	CSW	CPW	Support Services
X	X	X	Assistive Technology and Services
X	X	X	Behavior Support Services
X	X	X	Environmental Assessment
X	X	X	Environmental Modifications
X	X	X	Family and Peer Mentoring Supports
X	X	X	Family Caregiver Training and Empowerment Services
X	X	X	Individual and Family Directed Goods and Services
X	X	X	Housing Support Services
		X	Live-In Caregiver Supports

FSW	CSW	CPW	Support Services
X	X	X	Nursing Support Services
X	X	X	Participant Education, Training, and Advocacy Supports
X	X	X	Personal Supports
		X	Remote Support Services
X	X	X	Respite Care Services
X	X	X	Support Broker Services
		X	Transition Services
X	X	X	Transportation
X	X	X	Vehicle Modifications

References:

- FSW - Family Supports Waiver
- 6 • CSW - Community Supports Waiver
- CPW - Community Pathways Waiver





# Meaningful Day Services

FSW	CSW	CPW	Support Services
	X	X	Employment Services
	X	X	Supported Employment
	X	X	Employment Discovery & Customization
	X	X	Career Exploration
	X	X	Community Development Services
	X	X	Day Habilitation
	X	X	Medical Day Care

## References:

- FSW - Family Supports Waiver
- CSW - Community Supports Waiver
- CPW - Community Pathways Waiver



# Residential Services

FSW	CSW	CPW	Support Services
		X	Supported Living
		X	Shared Living
		X	Community Living – Group Homes
		X	Community Living – Enhanced Supports

## References:

- FSW - Family Supports Waiver
- CSW - Community Supports Waiver
- CPW - Community Pathways Waiver



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## **Waiver Renewal Requirement**

# Waiver Renewal Requirements (1 of 3)

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- All Medicaid Waiver programs must be approved by the federal Centers for Medicare and Medicaid Services (CMS) every five years
- Once approved they are effective for a 5-year period
- Requests to make changes to a Waiver program are made by submitting a Waiver Renewal or Amendment to CMS



# Waiver Renewal Requirements (2 of 3)

- A 30-day public input process is one of the requirement
- The official public comments period is from September 6, 2022 through October 6, 2022
- Public comments can be submitted to [wfb.dda@maryland.gov](mailto:wfb.dda@maryland.gov) or mailed to the DDA Federal Program Unit at 201 West Preston Street, 4th Floor, Baltimore, MD 21201
- To support the stakeholder input process and minimize public burden, comments for all three waivers should be submitted together under one response



# Waiver Renewal Requirements (3 of 3)

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- To help identify proposed changes, the DDA has created track change documents for each Waiver
- The same rules and requirements are used across the three Waiver Programs
- Dedicated renewal pages have been created to view the proposals
  - [Family Supports Waiver - Renewal 2023](#)
  - [Community Supports Waiver - Renewal 2023](#)
  - [Community Pathways Waiver – Renewal 2023](#)

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## **Waiver Renewal Overview**

# Waiver Renewal Overview (1 of 3)

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- Prior to development of the renewal, the DDA and the Office of Long Term Services and Supports reached out to the Maryland Developmental Disabilities Coalition and the Self-Directed Advocacy Network of Maryland Inc. for input on suggested changes to the waiver program
- Their input was considered as part of the renewal proposals

Note: The Maryland Developmental Disabilities Coalition includes representation from People on the Go (self-advocacy group), the Maryland Developmental Disabilities Council, the ARC of Maryland, Maryland Disability Law Center, and the Maryland Association of Community Services (provider association)

# Waiver Renewal Overview (2 of 3)

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- During the 2022 Legislative session, the Self-Directed Act of 2022 became law (Reference: [House Bill 1020/Senate Bill 868](#))
- Waiver requirements of the new law were also noted in the renewal application proposals

# Waiver Renewal Overview (3 of 3)

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- Increase flexibility and enhance services and supports for individuals and families
- Removal of requirement of staff to have GED or high school diploma
- Updates to program slots
- Updates and reordering of some language to better clarify
- Add reference to Quality Improvement Organization (QIO) associated with quality and performance measures



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## **Main and Appendix A - Waiver Administration and Operations**

# Waiver Renewals: Main and Appendix A (1 of 2)

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- Proposed Effective Date: July 1, 2023
- Brief Waiver Description – includes information on being a Technology First State
  - Assistive technology supports and services allows Marylanders with disabilities to enhance their functional independence and support their self-defined goals
  - The first initiative is to provide information regarding assistive technology resources as the first option of community support

# Waiver Renewals: Main and Appendix A (2 of 2)

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- Contracted entities were updated to include:
  - Provider Search Directory
  - Person Centered Planning, Training, and System Enhancement
  - Positive Behavioral Supports Implementation, Training, and Capacity Building
  - Quality Improvement Organization



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## **Appendix B – Participant Access and Eligibility**

# Waiver Renewal: Appendix B

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- Increased CSW and CPW program slots
- Increased State Funded and Court Involvement reserved slots
- Expanded Military Families reserved slot to support military families who move to Maryland
- All individuals determined to meet the crisis resolution category are offered the opportunity to apply to the waiver

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## **Appendix C – Participant Services**



# Waiver Renewal: Appendix C (1 of 15)

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- Employment Services
  - Removed of 10-hour per day limit associate with Employment Services - Ongoing Job Supports
- Career Exploration
  - Clarified that facility-based supports can be provided at an off-site location in the community

# Waiver Renewal: Appendix C (2 of 15)

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- Supported Employment (SE) and Employment Discovery and Customization (ED&C) – removed end date
  - Due to longer transition for providers to move to the LTSSMaryland-DDA Module fee for service billing the current end date of June 2022 is being removed
  - Providers that have not transitioned to the new employment services can continue to provide authorized services and bill through the current PCIS2
  - As provider services transition into LTSSMaryland, the SE and ED&C legacy services will end and the new corresponding services (i.e., Employment Services' Job Development, On-Going, and Discovery) will begin



# Waiver Renewal: Appendix C (3 of 15)

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- Community Development Services
  - Undated groups size to no more than three (3) participants to align with current practice and rate assumption
- Day Habilitation
  - Removed limitation for service provided Monday through Friday only to allow for more flexible supports that meet participants' needs

# Waiver Renewal: Appendix C (4 of 15)

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- Environmental Modifications
  - Limitation increased to up to \$50,000 to support accessibility needs and higher cost for labor and materials



# Waiver Renewal: Appendix C (5 of 15)

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- Housing Support Services
  - Added that this service includes assistance with bill paying services (e.g., sending monthly rent payment to landlord, sending payment to utilities, etc.)
  - Increased staff qualifications to a Bachelor's Degree and have training in creating budgets with individuals with developmental disabilities

# Waiver Renewal: Appendix C (6 of 15)

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- Nursing Support Services
  - Removed of references to legacy services that previously ended
  - Noted limitations from legacy nursing services to Nursing Support Services
  - Specified nurses must attend all DDA nurse meetings

# Waiver Renewal: Appendix C (7 of 15)

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- Personal Supports
  - Language was added to clarify personal supports includes overnight supports
  - Removal of GED or high school diploma staff requirement

# Waiver Renewal: Appendix C (8 of 15)

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- Respite Care Services
  - Clarified that this service can be used as an emergency backup plan for unpaid caregivers
  - Clarified camps include travel camps within Maryland and day trips
  - Expanded option for legally responsible person and legal guardian to provide service, with safeguards for conflicts of interest and misuse in place
  - Added Organized Health Care Delivery System as a qualified provider

# Waiver Renewal: Appendix C (9 of 15)

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- Live-In Caregiver Support
  - Added option for sibling to provide service
- Remote Support Services
  - Clarified that this service does not include electronic audio-visual conferencing software applications reliant on the participant to maintain the connection

# Waiver Renewal: Appendix C (10 of 15)

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- Supported Living
  - Removal of GED or high school diploma staff requirement
- Shared Living
  - Clarified Level 3 assessed need
  - Added for budget authority under self-direction
- Community Living – Group Home
  - Removal of GED or high school diploma staff requirement



# Waiver Renewal: Appendix C (11 of 15)

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- Transportation (standalone service)
  - Clarified can be used to support independent travel out of the state for a day trip
  - Clarified PCP service authorization limit applies to both self-directed and traditional service delivery models
  - Removal of GED or high school diploma staff requirement



# Waiver Renewal: Appendix C (12 of 15)

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- Self-Directed Services
  - Clarification that DDA provider application is not required for employer authority services
  - Allowed for mileage reimbursement, under the self-directed service delivery model, to the owner of a specialized, modified, or accessible vehicle driven by an employee of the participant and for the purpose of the participant engaging in activities specified in the recipient's person-centered plan of service

# Waiver Renewal: Appendix C (13 of 15)

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- Self-Directed Services
  - Clarified Support Broker Services are required under the self-directed service delivery model, when a relative, legally responsible individual, representative payee, and guardian serve as paid staff to assure proper oversight and quality assurance as well as reduce conflicts of interest
  - Clarified the definition of Relative includes child and stepchild

# Waiver Renewal: Appendix C (14 of 15)

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- Individual and Family Directed Goods and Services
  - Updated based on the Self-Directed Services Act of 2022
  - Added additional details related to options, including a new day to day administrative support
  - Clarified items not covered including Able Accounts, exercise rooms, pools, and hot tubs
  - Removed funding limit

# Waiver Renewal: Appendix C (15 of 15)

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- Support Broker
  - Updated based on the Self-Directed Services Act of 2022 including expanding scope and clarifying that additional 30 hours per month can be accessed using unallocated funding for extraordinary circumstances
  - Removal of GED or high school diploma staff requirement

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## **Appendix D – Participant-Centered Service Planning and Delivery**

# Waiver Renewal: Appendix D

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- Added language associated with Supported Decision Making
  - Individuals may seek support with decision making from a specific person or a team of individuals
  - Supported decision making means a process by which an adult, with or without having entered a supported decision–making agreement, utilizes support from a series of relationships in order to make, communicate, or put into action the adult’s own life decisions
- Removed reference to individuals using the self-directed service model use of the cost detail tool

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## **Appendix E – Participant-Directed Services**



# Waiver Renewal: Appendix E (1 of 3)

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- Updated based on the Self-Directed Services Act of 2022
- Request Independent Plus designation
- Added language associated with Supported Decision Making
- Clarified Participant Agreement to direct some or all of services

# Waiver Renewal: Appendix E (2 of 3)

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- Updated projected number of participants that may choose to self-direct
- Clarified circumstance when the participant has authority to modify services
- Added Shared Living under budget authority

# Waiver Renewal: Appendix E (3 of 3)

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- Expanded role of Support Broker
- Clarified cost of criminal background checks are paid by the Financial Management and Counseling Services agencies

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## **Appendix F – Participant Rights**

# Waiver Renewal: Appendix F

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- No proposed changes were made to Appendix F

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## **Appendix G – Participant Safeguards**

# Waiver Renewal: Appendix G

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- Clarified the DDA's Director of Clinical Services will review unauthorized restraints or restrictive interventions on a quarterly basis
- Clarified the DDA's Regional Office Quality Enhancement Nurses:
  - Review statewide and region-specific incidents related to health and safety, including all deaths
  - Recommends training or educational alerts to address any concerns or trends identified

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## **Appendix H – Quality Improvement Strategy**



# Waiver Renewal: Appendix H

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- Added information related to the QIO who will:
  - Provide strategies that enhance the quality of life and help to ensure the health and wellbeing for individuals with intellectual and developmental disabilities;
  - Develop audit standards for the DDA's services including review cases and analyze patterns of services related to assessed need and quality review;
  - Conduct ongoing utilization reviews to safeguard against unnecessary utilization of care and services and to assure efficiency, economy and quality of care; and
- Administer the DDA's National Core Indicators Surveys

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## **Appendix I – Financial Accountability**

# Waiver Renewal: Appendix I

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- Updated rate determination method to include:
  - Previous rates from the rate study completed November 2017 have been revised and trended forward with a 9.5% CPI adjustment
  - Added the Maryland General Assembly mandated 4% COLA was approved for the State FY2020 – FY2026
  - Added that in April 2021, the DDA increased the rates in PCIS2 by 5.5% using savings from the American Rescue Plan Act of 2021

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## **Appendix J – Cost-Neutrality Demonstration**

# Waiver Renewal: Appendix J

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- Update assumptions based on analysis of federal reporting, enrollment, LTSSMaryland person-centered plans data, and self-directed participant service enrollment
- Estimated service utilization to reflect longer transition of service to LTSSMaryland fee for service billing
- Updated five-year projection of users, units, and estimated cost

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## **Public Comment**

# Public Comment Process

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- The official public comments period is from September 6, 2022 through October 6, 2022
- Track change documents regarding the amendment proposals are available on each Waiver program's dedicated webpage, listed on the next slide
- Public comments can be:
  - Submitted to: [wfb.dda@maryland.gov](mailto:wfb.dda@maryland.gov); or
  - Mailed to: DDA Federal Programs at 201 West Preston Street, 4th Floor, Baltimore MD 21201
- To be considered, all public comments must be submitted by 11:59 PM on October 6, 2022

# DDA Waiver Dedicated Renewal Webpages

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- [Family Supports Waiver - Renewal 2023](#)
  - <https://tinyurl.com/5rj2858z>
- [Community Supports Waiver - Renewal 2023](#)
  - <https://tinyurl.com/bdd85ufp>
- [Community Pathways Waiver – Renewal 2023](#)
  - <https://tinyurl.com/bdd85ufp>



# Next Steps

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- Public comment period September 6th – October 6th 2022
- Review input and update
- Office of Long Term Services and Supports final review and approval
- Submission to CMS on January 1st
- CMS review - January - June 2023
- Proposed effective date – July 1, 2023

# Questions

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