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Maryland
DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

June 7, 2024

The Honorable Guy Guzzone
Chair
Senate Budget and Taxation Committee
3 West Miller Senate Office Bldg.
Annapolis, MD 21401-1991

The Honorable Ben Barnes
Chair
House Appropriations Committee
121 House Office Bldg.
Annapolis, MD 21401-1991

RE: 2023 Joint Chairmen's Report (p. 129-130) - Report on Home and Community-Based Options Waiver Care Plan Backlog - January 2024)

Pursuant to the requirements of the 2023 Joint Chairmen's Report (p. 129-130), the Department of Health (the Department) submits this report on the Community Options waiver care plan backlog. Specifically, the report addresses the impacts of this backlog on waiver applicants, participants and home and community-based services (HCBS) providers, such as delays in accessing HCBS and increased risk of hospitalization. The committees required the Department to submit monthly reports beginning July 1, 2023, on the progress in addressing the outstanding plan of service backlog. The report discusses current efforts underway and the great strides the Department is making to address the care plan backlog, including building internal and external resource capacity, and developing technological solutions to streamline processes that create cost-effective efficiencies. In addition, the report details the following information in the aggregate and by county:
- the average number of days to approve a plan;
- the total number of pending plans at the beginning of each month;
- the number of new plans received in the prior month; and
- the number of plans approved by the end of the prior month.

Background

The Department's Medicaid Office of Long Term Services and Supports (OLTSS) operates and/or oversees several HCBS programs. Of importance for this Joint Chairmen's Report (JCR) is the Home and Community-Based Options Waiver (HCBOW or "Community Options Waiver"), Community First Choice (CFC), Community Personal Assistance Services (CPAS), and Increased Community Services (ICS) programs. The four (4) aforementioned programs are impacted by the plan of service (POS) backlog reported during the 2023 legislative session.

Plan of Service Metrics

As requested by the committee, the average number of days to approve a plan, total number of pending plans at the beginning of each month, and the number of plans that received a decision

within 30 days (one (1) month) are reported in Table 1 below for January 2023 through November 2023. The metrics reported are inclusive of initial, provisional, revised, and annual POS for applicants and participants in the HCBOW, CFC, CPAS, and ICS programs. OLTSS collaborated with the Hilltop Institute[1] to disaggregate the POS data by county as requested by the committees. As such, Table 2 below reflects the disaggregated care plan data by county.

Table 1: Aggregated Care Plan Data

Month/Year	Average # of days to approve a plan	Total # of pending plans at the beginning of the month	# of plans receiving a decision in less than 30 days
January 2023	122	12,567	445
February 2023	144	12,886	347
March 2023	187	12,914	390
April 2023	137	13,394	265
May 2023	149	13,868	339
June 2023	148	14,347	257
July 2023	130	14,730	204
August 2023	148	14,925	215
September 2023	149	14,932	234
October 2023	138	14,982	308
November 2023	196	14,091	240

Table 2: November 2023 Care Plan Data by County

County	Average # of days to approve a plan	Total # of pending plans at the beginning of the month	# of plans receiving a decision in less than 30 days
Allegany	195	160	3
Anne Arundel	179	686	20
Baltimore	220	2,353	32

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[1] The Hilltop Institute is a nonpartisan research organization at the University of Maryland, Baltimore County. The Hilltop Institute collaborates with the Department to conduct objective, evidence-based research and analysis to inform state health policy.

Baltimore City	184	2,705	51
Calvert	204	106	0
Caroline	252	108	0
Carroll	180	175	4
Cecil	192	205	2
Charles	167	293	4
Dorchester	142	106	1
Frederick	207	318	9
Garrett	168	132	4
Harford	199	442	8
Howard	203	879	19
Kent	176	50	0
Montgomery	204	2,707	42
Prince George's	169	1,590	23
Queen Anne's	210	42	0
Somerset	156	112	3
St. Mary's	221	124	0
Talbot	218	62	0
Washington	172	233	5
Wicomico	175	268	9
Worcester	161	150	1
Other[2]	272	87	0

Remediation Strategies

As noted in earlier iterations of this monthly joint chairmen's report, the Department's Utilization Control Agent (UCA), Telligen, is expected to assume responsibility for rendering care plan

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[2] "Other"represents zip codes outside of Maryland. Upon review of the plan of service, OLTSS staff will determine if the client meets the technical criteria (e.g.; Maryland residency) before rendering a decision. If these individuals do not live in the state of Maryland, they will not meet technical eligibility and, therefore, their plan will be denied.

determinations on newly submitted POS beginning March 1, 2024, after participating in an eight-week intensive training program led by the Department. To expedite review of the backlogged POS, the Department drafted a contract modification that includes backlogged POS, instead of only newly submitted POS, in Telligen's scope of work. This contract modification was approved during the Board of Public Works' (BPW) meeting on January 3, 2024. It is expected that Telligen will also assume responsibility for rendering care plan determinations on the backlogged POS beginning March 1, 2024.

The Department has budget authority to enhance its data management system, LTSS*Maryland*, to allow auto-approval (i.e., no manual review required) of annual plans meeting specified criteria. This system enhancement is in the design phase and is expected to be implemented in LTSS*Maryland* in spring 2024. As an interim measure, the Department deployed its first semi-auto-approval process on November 4, 2023, which resulted in 1,110 annual plans pending the Department's review being approved. The second semi-auto-approval process was deployed on December 2, 2023, which resulted in 406 annual plans pending the Department's review being approved. The next two deployments will take place on January 12, 2024 and February 9, 2024.

As noted in last month's report, the Department partnered with Supports Planning Agencies to increase capacity and eliminate the waitlist for the assignment of a supports planner. These efforts continue to prove successful as there is no waitlist for a supports planner and program applicants and participants are assigned to a supports planner immediately to assist them with navigating the Medicaid enrollment process and accessing Medicaid and non-Medicaid home and community-based services and supports.

OLTSS continues to actively recruit for vacant positions via several social media platforms (e.g., LinkedIn, Handshake) and various stakeholder networks. Since the last report, December 2023, OLTSS has not onboarded any additional staff members; however, several positions have received lists of qualified candidates and interviews are underway. The remaining vacancies include 19 contractual positions and 5 merit positions for a total of 24 vacant positions (4 Social Workers, 16 Health Policy Analysts, 3 Medical Care Program Specialists, and 1 Administrator).

The Department's OLTSS and Eligibility Determination Division (EDD) has established a means to identify time-sensitive waiver applications and is prioritizing those plans of service for those individuals whose application is nearing the end of its six-month life cycle. This process will be ongoing as the Department conducts wave mailings to reduce its registry and the care plan backlog.

If you have any comments or questions about this subject, please contact Sarah Case-Herron, Director of Governmental Affairs, at sarah.case-herron@maryland.gov.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

CC: Marie Grant, JD, Assistant Secretary for Health Policy
         Ryan Moran, DrPH, Deputy Secretary, Health Care Financing and Medicaid
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