
 **pennsylvania**
DEPARTMENT OF HUMAN SERVICES


Adult Autism Waiver Amendment



ODP Public Comment Webinar
September 16, 2019

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Agenda  **pennsylvania**
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- Overview of Changes – 60 minutes
- Questions – 20 minutes
- Public Comment – 40 minutes

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General Information



- The Office of Developmental Programs will request an amendment to the Adult Autism Waiver.
- The proposed changes are considered substantive.
 - The proposed effective date of October 1, 2019, will be pushed back after the conclusion of the public comment period.
 - Some changes will be effective on July 1, 2019.

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Reserved Capacity



- Adds Reserved Capacity for 15 participants that are in hospitals or rehabilitative care **for more than 30 days and up to 6 months.**
- Settings include medical and psychiatric hospitals, rehabilitation care, and nursing homes. Settings which are NOT included are residential treatment facilities, state mental health hospitals, approved private schools and private and state ICFs/ID.

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Transitioning to a Waiting List



ANY INDIVIDUAL THAT IS ON THE PRIORITY 1 INTEREST LIST PRIOR TO THE EFFECTIVE DATE OF THE AMENDMENT:

- Will be transitioned to the waiting list if they have an initial Level of Care (LOC) evaluation completed and it has been determined that they meet LOC requirements.

**Only individuals that meet basic eligibility requirements and LOC will be transitioned to the waiting list.*

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Transitioning to a Waiting List



- Once added to the waiting list, these individuals will continue to be served first come, first served, when waiver capacity becomes available.
- There will no longer be a priority 2 interest list.

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Determining Eligibility



The following changes were made to align the criteria for determining eligibility in ODP's other waivers:

- Individuals added to the waiting list will have their initial level of care assessed through their Administrative Entity (AE).
- Expands the types of medical professionals that can complete a medical evaluation (MA51)
- Adds the requirement of PA residency

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Provider Qualifications



Changes to provider qualifications for all services:

- All providers will be transitioning from an Adult Autism Supplemental Provider Agreement to an ODP Waiver Provider Agreement.
- After July 1, 2019, all providers must participate in the Quality Assessment and Improvement (QA&I) process which includes the completion of a self-assessment and validation of required documentation, policies and procedures.
- The frequency of the monitoring cycle has been changed to once every 3 years to align with QA&I requirements.

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Provider Qualifications



Changes to provider qualifications for MOST services:

Complete standard ODP required orientation and annual training.

Applies to the following services:

- Day Habilitation
- Residential Habilitation
- Respite
- Supported Employment
- Supports Coordination
- Therapies
- Career Planning
- Family Support
- Nutritional Consultation
- Specialized Skill Development
- Temporary Supplemental Services
- Transportation
- Small Group Employment

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Day Habilitation



Each participant must be offered opportunities and needed support to participate in community activities that are consistent with the individual's preferences, choices and interests.

This addition aligns with the CMS guidance and clarifies expectations for providers of Day Habilitation.


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Day Habilitation




Day Habilitation may not be provided in a licensed Adult Training Facility that enrolls ~~is~~ **newly funded** on or after ~~3/17/19~~ **January 1, 2020** and serves more than 25 individuals in the facility at any one time including individuals funded through any source.

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Day Habilitation




Day Habilitation may not be provided in a licensed facility that enrolls on or after the effective date of 55 Pa. Code Chapter 6100 regulations in a location that is adjacent to, attached to or located in the same building as any of the following regardless of the funding source of the individuals served:

| | |
|--|--|
| Hospital (medical or psychiatric). | Skilled Nursing Facility (55 Pa. Code Chapters 201 through 211). |
| Licensed public or private ICF/ID (55 Pa. Code Chapter 6600) or ICF/ORC. | Licensed Child Residential Services (55 Pa. Code Chapter 3800) |
| Licensed Community Residential Rehabilitation Services for the Mentally Ill (CRRS) (55 Pa. Code Chapter 5310). | Licensed Personal Care Homes (55 Pa. Code Chapter 2600). |
| Licensed Assisted Living Residences (55 pa. Code Chapter 2800). | Unlicensed or Licensed Family Living Homes (55 Pa. Code Chapter 6500). |
| Licensed Adult Training Facilities (55 Pa. Code Chapter 2380). | Licensed Vocational Facilities (55 Pa. Code Chapter 2390). |
| Licensed Older Adult Daily Living Centers (6 Pa. Code Chapter 11). | Unlicensed or Licensed Community Homes for Individuals with an Intellectual Disability or Autism (55 Pa. Code Chapter 6400). |

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Residential Habilitation




ODP changed all references to Family Living to Life Sharing. This language was updated to align with ODP's other waivers.

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Residential Habilitation




Facility capacity is limited to four or fewer participants per Community Home. **A setting that is a duplex, two bilevel units and two side-by-side apartments enrolled to provide waiver services on or after the effective date of 55 Pa. Code Chapter 6100 regulations shall not exceed a program capacity of 4 in both units.**

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Residential Habilitation




Residential Habilitation may not be provided in a home enrolled on or after the effective date of 55 Pa. Code Chapter 6100 regulations that is adjacent to any of the following regardless of the funding source of the individuals served:

| | |
|---|--|
| Licensed public and private (ICF/ID) (55 Pa. Code Chapter 6600) or ICF/ORC. | Licensed Personal Care Homes (55 Pa. Code Chapter §2600). |
| Licensed Assisted Living Residences (55 pa. Code Chapter §2800). | Licensed Adult Training Facilities (55 Pa. Code Chapter 2380). |
| Licensed Adult Training Facilities (55 Pa. Code Chapter 2380). | Licensed Older Adult Daily Living Centers (6 Pa. Code Chapter 11). |

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Supported Employment



Providers of Supported Employment services may not also be the employer of the participant to whom they provide Supported Employment.

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Supported Employment



Supported Employment services may not be rendered under the Waiver until it has been verified that:

- It has been determined that OVR services are not available. If OVR has not made an eligibility determination within 120 days of the referral being sent **or a participant has received an offer of competitive integrated employment prior to OVR making an eligibility determination**, then OVR services are considered to not be available to the participant.

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OVR Order of Selection



In the event that OVR closes the order of selection, the following process will be followed from the effective date until the closure is lifted:

- A participant who has been referred to OVR, but does not have an approved Individualized Plan for Employment (IPE) may receive Supported Employment.
- A participant who has not been referred to OVR may receive Supported Employment without a referral to OVR.

This language was also added to Career Planning.

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Career Planning



A participant does not need to be referred to OVR if the participant is competitively employed and is seeking career planning services to find a new job, **unless the purpose is job advancement which can be provided by OVR.**

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Transitional Work Services



ODP changed the name of Transitional Work Service to Small Group Employment. This language was updated to align with ODP's other waivers.

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Small Group Employment



Small Group Employment services are only billable when the participant is receiving direct support during the time that he or she is working and receiving wages through one of these service options or during transportation to a work site.

Effective 7/1/19, Small Group Employment services may be provided without referring a participant to OVR as OVR does not provide Small Group Employment services.

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Provider Qualifications



For Supported Employment, Career Planning, and Small Group Employment:

Staff working directly with the participant must have one of the following by 7/1/2020 or within six months of hire if hired after 1/1/2020:

- Hold a Certified Employment Support Professional (CESP) credential from the Association of People Supporting Employment First (APSE); or
- Have been awarded a Basic Employment Services Certificate of Achievement or a Professional Certificate of Achievement in Employment Services from an ACRE organizational member that has ACRE-approved training.

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Provider Qualifications (cont.)



For Supported Employment, Career Planning, and Small Group Employment (continued):

Effective 7/1/2020, newly hired staff who do not have the required certification when hired must work under the supervision of someone who is certified. This can occur for no longer than 6 months from the date of hire to allow the new hire time to obtain the certification.

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Supports Coordination



ODP changed all references to Supports Coordination Agencies to Supports Coordination Organizations. This language was updated to align with ODP's other waivers.

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Supports Coordination



Monitoring the health and welfare of participants includes the review of information in health risk screening tools, when applicable, or whether there have been any changes in orders, plans or medical interventions prescribed or recommended by medical or behavioral professionals and whether those changes are being implemented.

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Supports Coordination



ODP revised language to clarify how and when a Supports Coordinator must discuss information concerning protections from abuse, neglect, and exploitation, including how to notify appropriate authorities.

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New Service: Transportation



Transportation is a direct service that enables participants to access services and activities specified in their approved service plan. This service does not include transportation that is an integral part of the provision of another discrete Waiver service.

The Transportation service consists of two components:

1. Public Transportation
2. Transportation-Trip

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New Service: Transportation



Public Transportation:

Public transportation services are vendor services provided to or purchased for participants to enable them to gain access to services, activities in the community and resources as specified in their service plans. Public transportation may be purchased by an OHCDS when the public transportation vendor does not elect to enroll directly.

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New Service: Transportation



Transportation-Trip:

This service is transportation provided to participants for which costs are determined on a per trip basis. A trip is defined as transportation from a participant's home, a waiver service, activity in the community or resource specified in the participant's service plan to a waiver service, activity in the community or resource specified in the participant's service plan or the participant's home. Transportation may be used to travel to and from a job that meets the definition of competitive integrated employment.

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New Service: Transportation



Transportation-Trip (continued):

Taking a participant to a destination and returning the participant to his/her home is considered two trips or two units of service. Trip distances are defined by ODP through the use of zones. Zones are defined as follows:

- Zone 1 - greater than 0 and up to 10 miles;
- Zone 2 - greater than 10 and up to 30 miles; and
- Zone 3 – greater than 30 miles.

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New Service: Transportation



Providers that transport more than 6 participants are required to have an aide in the vehicle. If a provider transports 6 or fewer participants, the provider has the discretion to determine if an aide is required. The determination must be based upon the needs of the participants, the provider's ability to ensure the health and welfare of participants and be consistent with ODP requirements for safe transportation.

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New Service: Transportation



Participants authorized to receive Residential Habilitation or Life Sharing services may only be authorized for Transportation services as a discrete service when the participant requires transportation to or from a job that meets the definition of competitive integrated employment.

Expenditure for Transportation is limited to \$4,500 per participant's service plan year.

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New Service: Transportation



- Transportation can be delivered through a provider directly enrolled with ODP or an Organized Healthcare Delivery System (OHCDS).
- Added Supported Employment agencies as a provider that can apply to become OHCDS entities for the Transportation service.

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New Service: Transportation



Provider Qualifications:

Agencies must have Public Utility Commission (PUC) Certification, when required by state law or comparable certificate in contiguous states.

Agencies must meet the following standards:

1. Have a waiver service location in Pennsylvania or a state contiguous to Pennsylvania.
2. Have a signed ODP Waiver Provider Agreement on file with ODP.
3. Complete standard ODP required orientation and annual training.

Continued on next slide

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New Service: Transportation



Provider Qualifications (continued):

Agencies must meet the following standards (continued):

4. New providers demonstrate compliance with ODP standards through completion of a self-assessment and validation of required documentation, policies and procedures. Public transportation providers are exempt from this requirement.
5. Have Commercial General Liability Insurance.
6. Have documentation that all vehicles used in the provision of Transportation services have automobile insurance.

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New Service: Transportation



Provider Qualifications (continued):

Agencies must meet the following standards (continued):

7. Have documentation that all vehicles used in the provision of Transportation services have current State motor vehicle registration and inspection.
8. Have Workers' Compensation Insurance, in accordance with state law.

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New Service: Transportation



Provider Qualifications (continued):

Agencies must meet the following standards (continued):

9. Ensure that staff (direct, contracted, or in a consulting capacity) have been trained to meet the needs of the participant which includes but is not limited to communication, mobility and behavioral needs.
10. Comply with Department standards related to provider qualifications.

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New Service: Transportation



Provider Qualifications (continued):

Drivers and aides working for or contracted with agencies as well as volunteers utilized in providing this service if they will spend any time alone with a participant must meet the following standards:

1. Be at least 18 years of age.
2. Have criminal history clearances per 35 P.S. § 10225.101 et seq. and 6 Pa. Code Chapter 15.
3. Have a valid driver's license if the operation of a vehicle is necessary to provide Transportation services.

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Participant Safeguards



ODP is proposing the following changes:

- Revise definitions of critical incidents and re-define what incidents are considered reportable
- Clarify roles and responsibilities for incident reporting and review
- Revise definitions of restrictive procedures and restraints
- Identify staff training needs for use of restraints
- Identify minimum standards when a restrictive procedure plan is needed and/or implemented

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Resources



The documents regarding the Adult Autism Waiver Amendment are available at:


<http://dhs.pa.gov/citizens/autismservices/adultautismwaiver/aawamendment/index.htm>

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PUBLIC INPUT

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Today's Public Input Process

- We will now go over answers to some of the questions we have received regarding these waiver amendments.
- The remaining time is reserved for obtaining public input on the waiver amendments
 - 5 minute limit on comments

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Written Comments



- While we will be recording this webinar we encourage you to submit your comments in writing.
- You have 2 options:
 1. Email comments to the DHS at RA-odpcomment@pa.gov using subject header "AAW Amendment".
 2. Mail comments to Laura Cipriani, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120
- Comments received by 11:59PM on October 7, 2019, will be reviewed and considered for revisions to the proposed waiver amendment.

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