

 **pennsylvania**
DEPARTMENT OF HUMAN SERVICES

Consolidated, Person/Family Directed Support (P/FDS), and Community Living Waiver Amendments Effective October 1, 2019



ODP Public Comment Webinars
June 20 and 24, 2019

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

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General Information



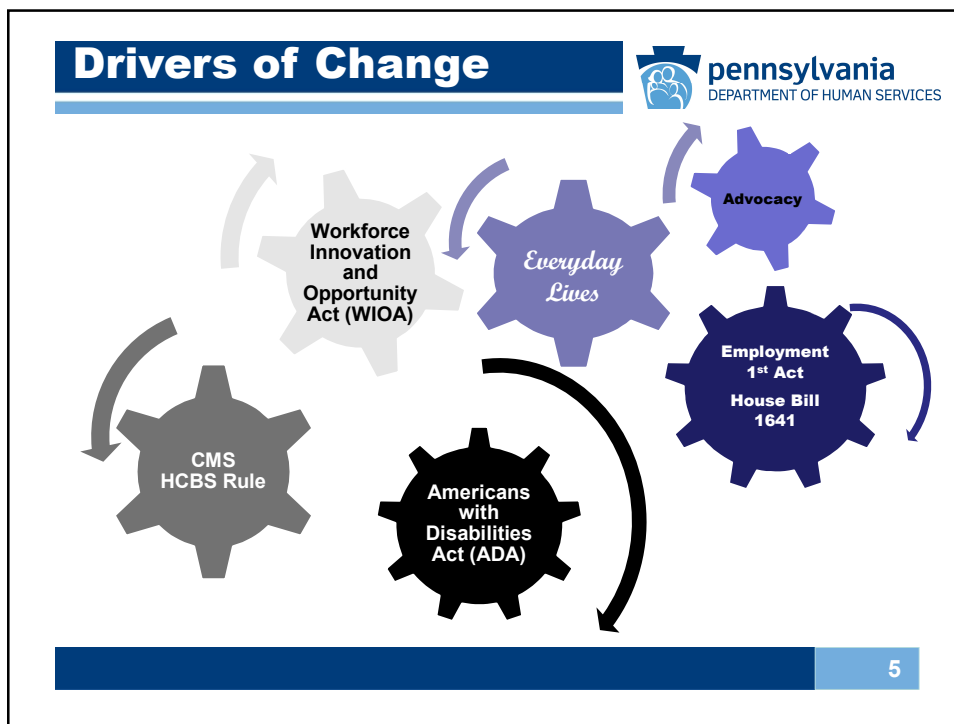
- The Office of Developmental Programs will request amendments to the Consolidated, P/FDS, and Community Living Waivers.

- The proposed changes are considered substantive.
 - ODP will request that the amendments be effective October 1, 2019.
 - Some changes will be effective on July 1, 2019.



- | | |
|--|---|
| 1 Assure Effective Communication | 7 Develop and Support Qualified Staff |
| 2 Promote Self-Direction, Choice and Control | 8 Simplify the System |
| 3 Increase Employment | 9 Improve Quality |
| 4 Support Families throughout the Lifespan | 10 Expand Options for Community Living |
| 5 Promote Health, Wellness, and Safety | 11 Increase Community Participation |
| 6 Support People with Complex Needs | 12 Provide Community Services to Everyone |





Serving High School Graduates

Administrative Entities must plan to enroll individuals who will graduate from special education each year and who are not eligible to continue their education through the next year in a waiver that will ensure their health and safety needs are met.

12. Provide Community Services To Everyone

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Serving High School Graduates



Reserved Capacity in the P/FDS Waiver for High School Graduates

The capacity that the State reserves in each waiver year is specified in the following table:

- Year 1 – 820
- Year 2 – 0 **700**
- Year 3 – 0 **700**
- Year 4 – 0 **700**
- Year 5 – 0 **700**



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Serving People in Emergency Situations



Increasing the number of people served in the Consolidated Waiver to ensure people who meet the criteria for unanticipated emergency reserved capacity can be enrolled in the waiver

- Year 1 – 18752
- Year 2 – 18881
- Year 3 – ~~48884~~ **18981**
- Year 4 – ~~48884~~ **18981**
- Year 5 – ~~48884~~ **18981**



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Serving Children With Medical Needs



Reserving capacity in the Consolidated Waiver to transition children (under age 21) with medical needs from an extended hospital stay or from a facility licensed under 55 Pa. Code Chapter 3800, 6400 or 6600 that does not meet waiver HCBS requirements.



6. Support People with Complex Needs

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Serving People with an Emergency PUNS



Increasing the number of people served in the Community Living Waiver to serve people with an emergency Prioritization of Urgency of Need for Services (PUNS) either from the waiting list or who are currently enrolled in the P/FDS Waiver.

- Year 1 – 1050
- Year 2 – 2650
- Year 3 – ~~2650~~ **3,415**
- Year 4 – ~~2650~~ **3,415**
- Year 5 – ~~2650~~ **3,415**

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Community Participation Support



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.



11. Increase Community Participation

Community Participation Support



Effective 10/1/19, on-call and remote support is covered for participants for whom the provider has coordinated community activities in which the participant is supported through unpaid supports and/or as a component of the fading strategy where on-call and remote support is needed as a back-up.

Limit of max of 40 units (10 hours) per week



11. Increase Community Participation

Community Participation Support



Effective 7/1/19

- Community Participation Support may be provided at the following ~~levels~~ **staff to individual ratios** in a licensed facility:

Basic - 1:11 to 1:15.

Level 1 - 1:7 to 1:10.

Level 2 – 1:4 to 1:6

Level ~~2~~ **3** - 1:2 to ~~4:6~~ **1:3**.

Level ~~3~~ **4** - 1:1.



11. Increase Community Participation

Community Participation Support



Effective 7/1/19

- Community Participation Support may be provided at the following ~~levels~~ **staff to individual ratios** in community locations and community hubs:

Basic - **1:2 to 1:3**.

Level 1 - 2:3.

~~Level 2~~ **Staff to individual ratio of 1:2.**

Level ~~3~~ **2**- 1:1.



11. Increase Community Participation

Community Participation Support



Community Participation Support may not be provided in a licensed Adult Training Facility or a licensed Vocational Facility that enrolls **is newly funded** on or after ~~March 17, 2019~~ **July 1, 2019** and serves more than 25 individuals in the facility at any one time including individuals funded through any source.



11. Increase Community Participation

Community Participation Support



Community Participation Support 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).	

Qualification Requirements



7. Develop and Support Qualified Staff

For programs providing prevocational training to participants, program specialists and supervisors of direct service professionals must have one of the following by ~~4/1/19~~ **7/1/19** or within six months of hire if hired after ~~7/1/18~~ **1/1/19**:

- 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 Association of Community Rehabilitation Educators (ACRE) organizational member that has ACRE-approved training.

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Residential Habilitation



Consolidated Waiver Only

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/Life Sharing



Residential Habilitation - Consolidated Waiver Only
 Life Sharing – Consolidated and Community Living
 Waivers

Residential Habilitation/Life Sharing 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).

Residential Services



Residential Habilitation - Consolidated Waiver Only
 Life Sharing – Consolidated and Community Living
 Waivers
 Supported Living – Consolidated and Community Living
 Waivers

The type and amount of assistance, support and guidance are informed by the assessed need for physical, psychological and emotional assistance established through the assessment **(including the Health Risk Screening Tool)** and person-centered planning processes.

Health Risk Screening Tool



[ODP Announcement 19-052](#)

The Health Risk Screening Tool (HRST) is a web-based screening instrument used to detect health risks and destabilization EARLY. The HRST is a reliable, normed, and objective tool that does not lend to subjectivity.

The HRST assigns scores to 22 health and behaviorally related rating items. These scores are derived by an objective process. The total score results in a Health Care Level that indicates an associated degree of health risk.

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Health Risk Screening Tool



Once an individual has been fully screened, the HRST produces suggested action steps in the form of Service and Training Considerations that inform supporters on how to respond to objectively identified risks.

It is important to understand that the HRST measures health risk not disability.

The HRST is designed and intended to empower supporters with information needed to more effectively oversee the health and welfare of the individual.

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Health Risk Screening Tool



ODP is implementing the Health Risk Screening Tool (HRST) over a one-year period for individuals being served in licensed residential settings. A 12-minute video is available at the following link and provides an introductory overview of the HRST:

<https://hrstonline.com/video/index.php?id=223541240>

Implementation of the HRST will be beneficial to the individuals receiving services in licensed residential settings and will enhance the provider agencies' ability to provide support.

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Residential Services Qualifications



Provider Qualifications for Residential Habilitation, Life Sharing and Supported Living



7. Develop and Support Qualified Staff

11. Have a person fill the role of Chief Executive Officer (CEO) at all times. The agency must have a written plan stating who will fill the role of the CEO should the current CEO leave his or her position.


12. Notify the ODP Regional Office and Administrative Entity(ies) within 10 business days of the hiring date of a new CEO, including an interim or acting CEO.


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Respite






To serve children (under age 21) who have medical needs, we propose to allow enhanced levels of Respite be provided by a licensed nurse when the child:

- Is authorized to receive less than 24 hours/day of nursing through private insurance or Medical Assistance; and one of the following required for the child:

6. Support People with Complex Needs

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Respite



- Administration of intravenous fluid or medications, which is specified in written order by a licensed doctor; or
- Monitoring, defibrillating or resuscitating equipment, or combination of the three; or
- Other skilled activities that must be provided by a nurse. A list of non-skilled activities that can be performed by professionals other than a nurse is available at: http://dhs.pa.gov/cs/groups/webcontent/documents/document/c_251202.pdf
- Any waiver participant age 21 or older who needs nursing services can receive this type of support through the Shift Nursing service.

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Respite



Respite services are limited to:

- 30 units of day respite per participant in a period of one fiscal year, and
- 480 units of 15-minute unit respite per participant in a period of one fiscal year.

A request for a variance to this limit may not be approved for Respite provided by a nurse unless there is an emergency circumstance involving a child with medical needs who meets the criteria described above. Ongoing nursing needs for children with medical needs are addressed through Medical Assistance Fee-for-Service or Physical Health Managed Care Organizations.

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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.

3. Increase
Employment



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Supported Employment



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 information will also be added to Advanced Supported Employment

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Provider Qualifications



Support Service Professionals/individuals/staff working directly with the participant must have one of the following by ~~4/1/19~~ **7/1/19** or within six months of hire if hired after ~~7/1/18~~ **1/1/19**:

7. Develop and Support Qualified Staff

- 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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Advanced Supported Employment



Discovery activities may be provided within a variety of settings including residential habilitation settings when identified as a need in the service plan or vocational facilities and adult training facilities when these facilities are where the participant's employment or volunteer experience occurred that is being assessed and when identified as a need in the service plan.

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Advanced Supported Employment



The direct provision of job acquisition activities may not be provided in a vocational facility or adult training facility.

Job retention activities may not be provided in a Vocational Facility (55 Pa. Code Chapter 2390), Adult Training Facility (55 Pa. Code Chapter 2380), Child Residential and Day Treatment Facilities (55 Pa. Code Chapter 3800), Community Residential Rehabilitation Services for the Mentally Ill (55 Pa. Code Chapter 5310) or any licensed or unlicensed home that provides residential habilitation services funded by ODP.

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Small Group Employment



Small Group Employment services are only billable when the participant is supported 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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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;



5. Promote Health, Wellness and Safety

6. Support People with Complex Needs

7. Develop and Support Qualified Staff

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Communication Specialist



The service begins with a thorough review of the participant's communication needs and skills (both expressive and receptive)

Once the review is complete, an action plan is developed. The action plan should be person-specific and created with the service plan team. The plan should include:

- **The participant's best communication methods, both expressive and receptive;**
- **Current barriers to effective communication; and**
- **Measurable steps to address and eliminate the barriers to expressive and receptive communication from all aspects of the participant's everyday life.**

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Communication Specialist



This service does not include teaching American Sign Language (ASL) unless the "sign" that is being taught is participant-specific. ASL lessons are not included in the service.

Teaching American Sign Language to adults or children who have graduated from high school is covered under Education Support or In-Home and Community Support services.



1. Assure Effective Communication

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Companion



Caregivers with whom the participant lives may not provide Companion services when the participant is sleeping and solely needs supervision.

Caregivers with whom the participant lives may provide Companion services for the hours when the participant needs service provision.

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Transportation Trip




Effective July 1, 2019, proposed changes to zones:

- Zone 1 - greater than 0 and up to ~~20~~ **10** miles;
- Zone 2 - greater than ~~20~~ **10** and up to ~~40~~ **30** miles; and
- Zone 3 – greater than ~~40~~ and up to ~~60~~ **30** miles.

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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.
 2. Mail comments to Julie Mochon, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120
- Comments received by 11:59PM on July 8, 2019, will be reviewed and considered for revisions to the proposed waiver amendments.

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Resources



The documents regarding the Consolidated, Community Living, and P/FDS Waiver Amendments are available at:
<http://dhs.pa.gov/provider/developmentalprograms/waiveramendment/>

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