

**Michigan Habilitation Supports Waiver (HSW) – Compliance with CMS
Home and Community Based Services (HCBS) Rule
Full Population Survey: Final Report**

Executive Summary



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Definitions



Individuals or Beneficiaries:

People receive HSW services and supports.



Providers:

Agencies who provide services and supports that help individuals with disabilities in their homes, work, and communities.



Survey:

A tool used to ask people their thoughts and opinions.



Residential:

Services and supports that are provided in the individual's home.



Non-Residential:

Services and supports that are provided outside of the individual's home.



Compliance:

Meeting rules and standards.

Acronyms:

MI-DDI: Michigan Developmental Disabilities Institute

BHDDA: Behavioral Health and Developmental Disabilities Administration

MDHHS: Michigan Department of Health and Human Services


CMS: Centers for Medicare and Medicaid Services


HCBS: Home and Community Based Services

HSW: Habilitation Supports Waiver

Background

The State of Michigan runs the Habilitation Supports Waiver (HSW) for people with developmental disabilities. Individuals on the waiver can receive Medicaid covered, home and community based supports to live in their communities.

On January 16, 2014, the Federal Centers for Medicare and Medicaid Services (CMS) published the Home and Community Based Services (HCBS) ruling. States must ensure that HCBS are delivered in settings that follow the Final Rule to continue receiving Medicaid funding to provide home and community-based services. As a result, Michigan's HSW must comply  with the rule changes by March 2019.




The Behavioral Health and Developmental Disabilities Administration (BHDDA) within the Michigan Department of Health and Human Services (MDHHS) contracted with the Michigan Developmental Disabilities Institute (MI-DDI) at Wayne State University to survey the full population of HSW beneficiaries and their providers. The survey asked if the State is ready to comply  with the HCBS ruling. MI-DDI developed the survey tools to reflect all parts of the HCBS rule.

The goals of this study were:

1. To find out what beneficiaries  think about their service providers'  compliance with the HCBS Ruling.
2. To find out what service providers  think about their compliance to the HCBS Ruling.
3. To compare beneficiary  and provider  responses.

Who Completed the Survey?

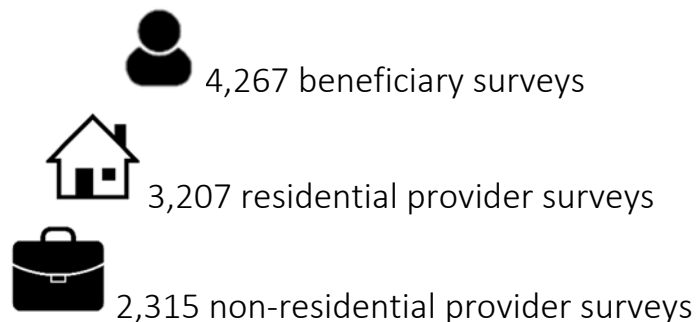


1. **Beneficiaries**  Each beneficiary's supports coordinator was emailed a survey invitation. The supports coordinator was asked to help beneficiaries to complete the survey.
2. **Residential Providers**  Each residential provider was sent a survey invitation.
3. **Non-Residential Providers**  Each non-residential provider was sent a survey invitation.

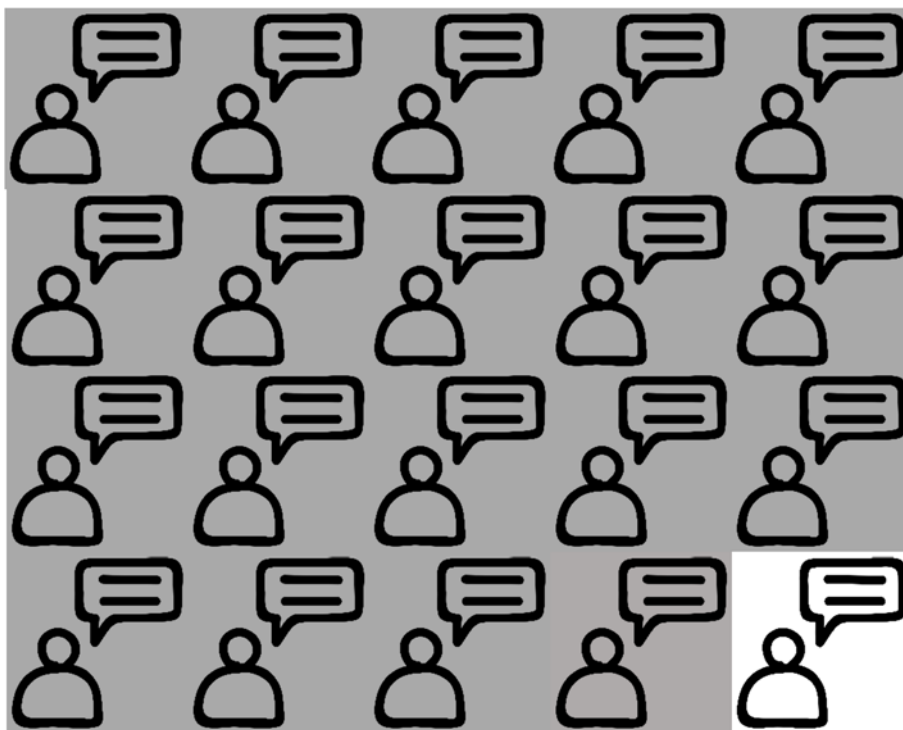
5,059 *complete* surveys were received.
90% of the people have complete surveys.

A survey was complete when the beneficiary and their provider(s) answered the survey. Complete surveys were only included in the analysis. This means that both the beneficiary and the provider responded to questions about the same service and service provider.


Surveys included in the analysis for this report:



Survey Findings



19 out of 20 beneficiaries had help to complete the survey.
Most received help from their support coordinators.

The beneficiary  and provider  surveys asked questions about the following five main themes found in the HCBS Final Rule.



Community Integration



Rights



Privacy



Choice/Control



Freedom of Access

Community Integration



HCBS must support a person to be integrated into the community. Community integration means the full participation of all people in community life. Each setting must be integrated in and support the full access of individuals into the greater community. The beneficiary and provider surveys included questions that asked about community integration.

Sample questions that ask about community integration:

- Example: Can people without disabilities live in your home?
- Example: When you are at your non-residential program, do you have contact or connect with individuals from the community/public?

Beneficiary and Residential Providers



- Providers thought that beneficiaries had more community opportunities than beneficiaries did.
- Both beneficiaries and providers thought that beneficiaries live only with others with disabilities.

Beneficiary and Non-Residential Providers



- Non-residential providers thought that beneficiaries had more community integration opportunities than beneficiaries did.
- Both beneficiaries and providers agreed that beneficiaries who worked in the community had ongoing contact with people without disabilities.
- Both beneficiaries and providers thought the issue of integrated work did not meet the HCBS rule.

Rights



Compliance with the HCBS Final Rule means all settings must ensure the individual's rights. The survey included questions that asked beneficiaries and providers about beneficiary rights. Sample questions that are included:

- Example: Do you have a lease for your home?
- Example: Is information about filing a complaint clear and useful?

Beneficiary and Residential Providers



- Overall, providers had more positive opinions about beneficiaries' rights than beneficiaries.
- The issues that were the lowest rated in compliance: having a lease and knowing rules about eviction.

Beneficiary and Non-Residential Providers



- There were large differences between beneficiaries and non-residential providers' answers to questions about rights. Again, providers rated the implementation of rights higher than beneficiaries.
- Both beneficiaries and providers agreed that beneficiaries who worked were paid for their work.
- The lowest rated issue was that beneficiaries did not have work benefits similar to workers without disabilities.
- Both groups agreed that beneficiaries knew their rights.

Personal Privacy



HCBS settings must protect and ensure individual privacy. The survey included questions about personal privacy in the HCBS setting. Sample questions that are included in this domain include:

- Example: Can you close and lock your bedroom door?
- Example: Does your home staff ask before entering your living areas?

Beneficiary and Residential Providers



- Beneficiaries and residential providers agreed about the beneficiaries' personal privacy.
- The issues with the lowest compliance was having a locked bedroom door.

Beneficiary and Non-Residential Providers



- Both groups of respondents agreed that beneficiaries received personal care in private when beneficiaries were at their non-residential program.
- Beneficiaries and providers agreed that beneficiaries knew their rights.

Choice/Control



The HCBS setting should improve individuals' independence and support them in making choices and directing their own lives. They can decide the way they want to live and the services and supports they receive. The survey included questions about beneficiary's choice and control. Sample questions that are included in this domain include:

- Example: Do you pick what you eat?
- Example: Did you have choices of where to live?

Beneficiary and Residential Providers



- Providers thought that beneficiaries had more opportunity for choice and control in their living arrangements than beneficiaries did.
- *Highest* in compliance with the HCBS rule: beneficiaries' choice in clothing.
- Issues that were *lowest* in compliance with the HCBS rule: choices about direct care workers, housemates, roommates, and private bedroom.

Beneficiary and Non-Residential Providers



- Providers thought more positively than beneficiaries about choice and control in non-residential settings.
- Beneficiaries reported limited choice and control of their breaks and lunch periods at their day programs.

Freedom of Access



Individuals must have access to the same settings as individuals without disabilities. The survey included questions that asked about beneficiary's freedom of access. Sample questions that are included in this domain include:

- Example: Do you have access to a communication device?
- Example: Can you reach and use the homes' appliances as you need?

Beneficiary and Residential Providers



- Beneficiaries and residential providers agreed about their views of beneficiaries' freedom of access.
- Highest in compliance with HCBS rule: availability of transportation, access to personal funds, and access to common areas within the home.

Beneficiary and Non-Residential Providers



- Both groups agreed that beneficiaries had access to and control of their personal funds.

Conclusion

In response to the survey findings, a series of educational materials were created for beneficiaries and their families about the CMS Rule on Home and Community Based Services. The next phase of compliance assessment will focus on 1915 (b) service recipients and their providers. The 10 Pre-Paid Inpatient Health Plans (PIHPs) will survey individuals and providers in 2017 with technical support from MI-DDI. For more information on the HSW population survey tools and survey findings or to access the education and outreach materials please visit:

<https://ddi.wayne.edu/hcbs>.