

Transition to Compliance with CMS HCBS Rule

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Administration

1

Transition to Compliance with CMS HCBS Rule

Webinar Objectives:

- Overview of the Pilot Survey Process
- Pilot Year Survey Results: Please reference your PIHP regional data and onsite verification summaries to compare with the State summary data in this presentation
- Key Areas of Transition to Compliance
- Next Phase of Data Collection – beginning in April 2016

2

Background

- MDHHS must assess all settings under 1915 (c), (i), and (k) authorities for compliance with the rule.
- Presumed compliant setting, if the person:
 1. lives in their own home or apartment
 2. lives in the home of a family member
- Settings that are provider-owned and/or controlled must be assessed including licensed and unlicensed settings.

3

Assess Compliance for Transition: Settings under 1915 (c) Authority



4

Pilot Survey Methodology

- The survey focused on a randomized, statewide sample of 10% of HSW beneficiaries (n=891) and their residential (n=393) and non-residential (n=407) providers.
- Oversampled by 25% to ensure a statistically significant sample size was collected.
- The survey process ran from April 13 – May 30, 2015.
- The survey was conducted through a web-based system (*Qualtrics*).
- Onsite validity assessments were conducted with 5% of the respondents.

5

Pilot Year Survey Results

- A statistically significant sample response was obtained (n=727).
- Beneficiary characteristics of survey respondents:
 - Mean age: 51.5 years
 - 59% male
 - 75% white
 - 79% live in specialized residential homes
 - 35% participate in facility-based day activity

6

PIHP Survey Results

- 90% of PIHPs responded
- 45% of PIHPs reported HSW beneficiaries have leases/agreements
- 78% of PIHPs reported providers are trained on rights/protections
- The majority of PIHPs have written policies on choice of roommates and employment participation

7

Beneficiary Results (n=727)

- 94% received assistance to complete the survey (range = 18-62%)
- 78% assisted by a supports coordinator
- 4% assisted by family
- 41% were directly interviewed for their responses
- 76% live only with others with disabilities
- 14% were employed (5% in supported employment)

8

Beneficiary: Perceptions of their Choice/Control

Percentage who reported "yes"	
Chose home	60
Chose house mate	17
Chose staff	39
Choose foods to eat	57
Choose what to wear	73
Privacy from staff	75
Control personal schedule	59
Freedom of movement outside home	32
Freedom of movement in home	63

9

Beneficiary Perceptions: Community Integration

Percentage who viewed themselves as similar to typical worker	
Same work hours	10
Same breaks/lunches	10
Same benefits	2
Same work tasks	1
Same interactions	9
Same contact with community	10
Same ability to decide how to spend earnings	11

10

Residential Provider: Perceptions of Beneficiary Choice/Control

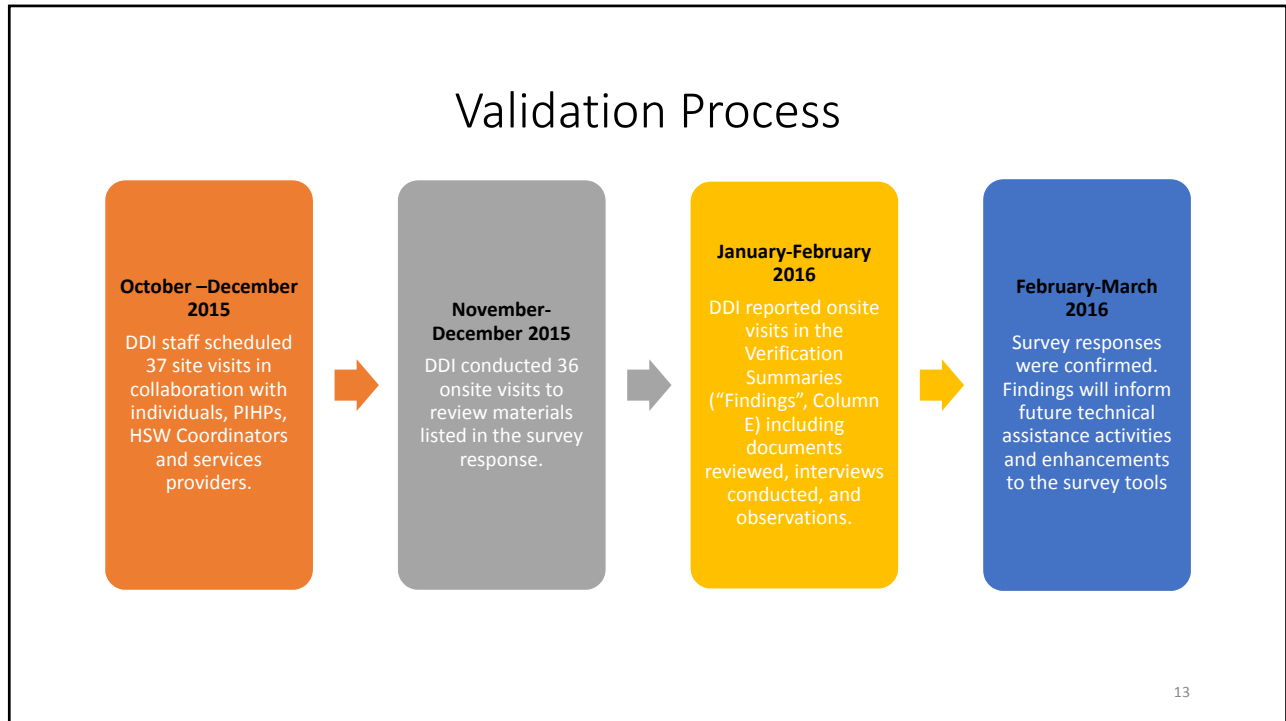
Percentage who reported "yes"	
Can choose home	82
Can choose housemate	79
Can choose staff	85
Can choose foods to eat	92
Can choose what to wear	94
Can control personal schedule	68
Has freedom of movement outside home	37
Has freedom of movement in home	87

11

Non-residential Provider Perceptions of Integration in Work Setting

% who view setting as similar to typical workers	
Hours/Days	34
Breaks/Lunches	33
Benefits	27
Work tasks	33
Interactions	33
How to spend earnings	32

12



Validation Process

Prior to Onsite Visits

Type of setting (A)	Response Concern (B)	Survey Topic, Question Number (C)	Survey Response (D)	Findings Identify documents reviewed and interviews conducted to establish findings (Plan, rights violation, observation, conversation and with whom, on-site visit and where, other) (E)	Remedial Strategy (F)
<input type="checkbox"/> Residential: Choose an item. <input type="checkbox"/> Non-Residential: Choose an item.	<input type="checkbox"/> Mismatch <input type="checkbox"/> Non-compliance <input type="checkbox"/> Other: Click here to enter text.	Topic: Click here to enter text. Question (s): Click here to enter text.	Participant: Click here to enter text. Provider: Click here to enter text. Information: Click here to enter text.	Documents reviewed: Click here to enter text. Interviews conducted: Click here to enter text. Observation: Click here to enter text. Findings: Click here to enter text.	Action: Click here to enter text. Target Date: Click here to enter a date.

Results of Onsite Visits

14



Key Areas of Transition to Compliance

The intent of the CMS ruling is: “a) to ensure that individuals receiving long-term services and supports through home and community based service (HCBS) programs under the 1915(c), 1915(i) and 1915(k) Medicaid authorities have full access to benefits of community living and the opportunity to receive services in the most integrated setting appropriate; and b) to enhance the quality of HCBS and provide protections to participants.” (CMS, 2014)¹

Community Involvement
Choice and Control
Community Integration

¹Centers for Medicare and Medicaid Services, Disabled and Elderly Health Programs Group, Center for Medicaid and CHIP Services (2014). Final Rule Medicaid HCBS. Baltimore, MD: Centers for Medicare and Medicaid Services. <https://www.medicare.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/final-rule-slides-01292014.pdf>

Community Involvement: Comparison of Beneficiary and Residential Provider

Community Access Support	% who reported “yes”	
	Beneficiary Response	Provider Response
Direct support worker	80	93
Home Manager	65	93
Case Manager	28	63
Family/Friends	36	80

Community Involvement: Comparison of Beneficiary and Residential Provider

Involvement-Community Activities	% who reported "yes"	
	Beneficiary Response	Provider Response
Shopping for self	46	90
Religious services	24	70
Scheduled appointments	60	91
Meals with friends or family	55	88
Recreation activities	68	93
Community events	68	91
Volunteer services	11	35
Employment	10	27
School/Educational classes	4	26

17

Choice and Control in Living Arrangement

	% who reported "yes"	
	Beneficiary Response	Provider Response
Choice of Home	60	82
Choice of Housemate	17	79
Choice of Staff	39	85
Ability to close/lock bedroom	23	37
Ability to close/lock bathroom	46	69
Choice of foods to eat	57	92
Choice of where and when to eat	58	90
Choice of what to wear	73	94
Access to communication device	67	91
Privacy to use communication device	63	92
Control personal schedule	59	68
Choice of movement outside of home	32	37
Choice of movement in home	63	87

18

Comparison of Beneficiary and Non-Residential Provider: Community Integration

Characteristic	% who reported "yes" similar to typical workers	
	Beneficiary Response	Provider Response
Scheduling of work hours/days	10	34
Scheduling of breaks/lunch	10	33
Benefits	2	27
Work tasks	1	33
Interactions with coworkers	9	33
Decisions about spending earnings	11	32

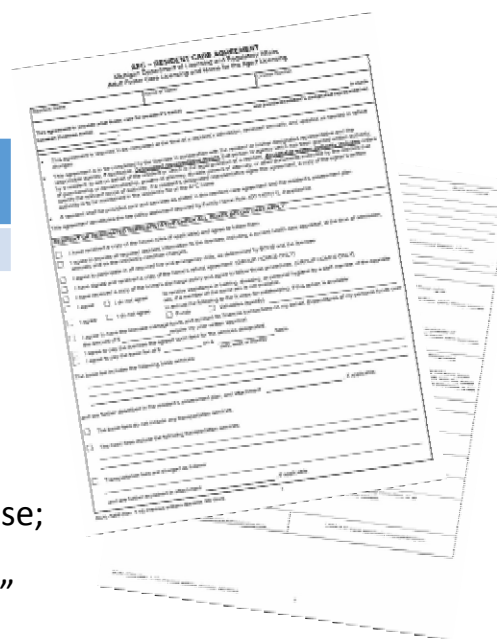
19

Lease/Rental Agreements

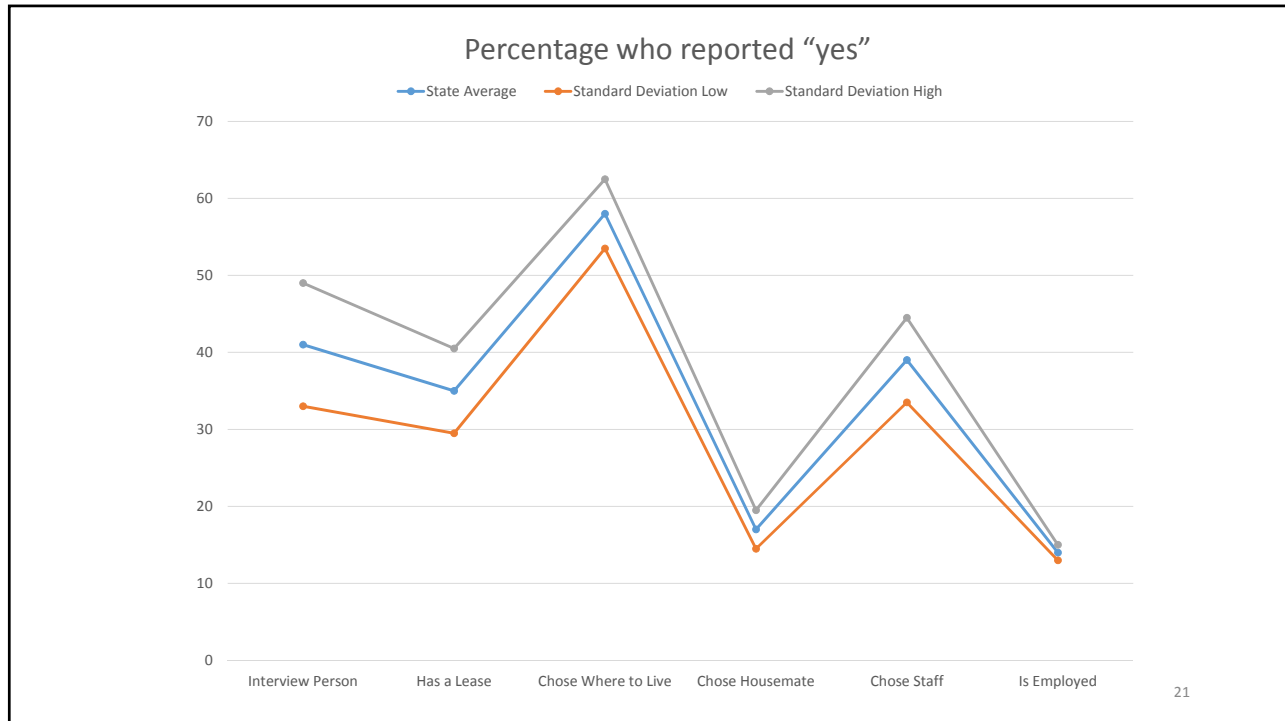
% who reported "yes"	Beneficiary Response	Provider Response
Have a lease	35	86

Lesson learned from verification visits:


- Providers often reported that the BCAL Residential Care Agreement was equal in rights/protections as a lease
- 1 in 3 individuals reported as having a lease; the Individual often referred to the BCAL Residential Care Agreement as the "lease"



20



21



Next Phase of Surveys

- Completed Pilot Year: April-May 2015
- Upcoming Phase 1: April-July 2016
 - PIHP will receive the sample list for the Statewide Assessment Phase 1 (by 4/6/2016)
 - MDHHS will train the WSA - HSW users on how to enter contact information for supports coordinators and providers into WSA (4/7/2016)
 - PIHP/CMH WSA – HSW users will enter the contact information for supports coordinators and providers into WSA (4/7/2016 – 4/29/2016)
 - DDI will use the contact information for supports coordinators and providers from WSA to send out surveys (5/2/2016)
 - HSW participants and providers will complete the survey (05/2016 – 07/2016)

22



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Next Phase of Surveys

- **Note:** Data will be collected as one cohort (all HSW beneficiaries) with two cycles (Phase 1: FY 2016, Phase 2: FY 2017).
- Surveys are complete when beneficiaries and provider(s) have responded
- **Respondents**
 - 50% of the Habilitation Support Waiver beneficiaries for Phase 1 (Fiscal Year 2016); remaining survey respondents in Phase 2 (Fiscal Year 2017)
 - BHDDA has determined that pilot year respondents will be resurveyed

23



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Survey Tools for Phases 1 & 2

- **New features to surveys**
 - Definitions have been added
 - Majority of questions are simply “yes” or “no”
 - Beneficiary incentives will be offered: HSW survey respondents will be entered into a raffle to receive a gift card
- **Changes to survey process**
 - The PIHPs will NOT be surveyed.
 - The survey verification process will be different. It is most likely that NCI will be used to confirm responses.

24

Next Steps, Questions?

- PowerPoint handouts will be emailed to today's webinar participants
- Please complete the brief participant survey following this webinar
- Watch for the survey invitations in May 2016 from Qualtrics (DDI)
- Review your PIHP Region data and onsite verification summaries
- Questions?

Thank you for you attending today's webinar

25



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26