

## **REMEDATION STRATEGIES AND MILESTONES FOR THE HAWAII 1915(c) I/DD WAIVER**

### **REVISIONS TO 1915c WAIVER**

*Date of Completion: 03/2016*

Waiver renewal activities were completed concurrent with the My Choice My Way transition plan to provide information and training for stakeholders on the Final Rule requirements. The State engaged in a consultative, open communication process across stakeholders using multiple venues and forums to have discussions with waiver participants, families, advocates, providers, legislators, other state agencies, staff and other interested members of the public. Feedback was obtained from more than 200 stakeholders during several months that was used to shape the service array and guide other revisions for the renewal application. During the formal public notice and comment period prior to submitting the proposed renewal application, further refinement to the waiver was completed.

A number of changes were made to the 1915(c) waiver application that was submitted to CMS in March 2016 to support individuals to have full lives in their communities. Existing services were revised and new services were added. Personal Assistance Habilitation (PAB) was separated into two distinct services – PAB would be delivered in the participant’s home and a new service, Community Learning Services, would be delivered in the community with a specific focus on improving and supporting full access to the community. Existing services were revised to clarify the expectations for community participation and employment in integrated competitive settings. Prevocational services in the current waiver were redefined as Discovery and Career Planning to reflect a strong emphasis on the discovery process and planning that is needed in order for participants and their families to make informed choices about employment. A new service, Mentorship, is designed to support participants to develop self-advocacy skills. A new service, Family Training and Supports, is designed to strengthen and support families. Community Guide is a new service for participants who use consumer-directed options to identify and create opportunities for participants to become fully integrated members of their local communities. In addition to services, other revisions to the waiver renewal application included changes throughout the application to strengthen person-centered planning, choice and control. The State is also in the process of conducting a rate study as part of the waiver renewal process.

### **REVISIONS TO HAWAII ADMINISTRATIVE RULES**

*Anticipated Date of Completion: 10/2017*

Waiver participants reside in a number of different types of settings that have administrative rules or licensing requirements. DOH/DDD will coordinate revisions to the Hawaii Administrative Rules Chapter 11-148 <http://health.hawaii.gov/opppd/files/2015/06/11-148.pdf> related to certified Adult Foster Homes for persons with DD. Based on the analysis and crosswalk with the HCBS requirements, DOH/DDD has identified the sections of the administrative rules that require revisions.

### **REVISIONS TO THE MEDICAID WAIVER STANDARDS**

*Anticipated Date of Completion: 9/2016*

Based on analysis and a crosswalk with the Final Rule requirements, the Medicaid 1915(c) Waiver Standards are being reviewed and updated. The framework for the updated standards will reflect all HCBS requirements and will no longer focus only on standards for providers as the current Standards do. This comprehensive document will be easy to navigate for participants, families, case managers, providers and stakeholders. The process to review and update includes stakeholders such as participants, families, providers, self-advocates and other community partners. All new and revised Standards will be submitted to DHS/MQD for review and approval.

## **REVISIONS TO DOH/DDD POLICIES AND PROCEDURES**

*Anticipated Date of Completion: 12/2016*

DOH/DDD will develop or revise current policies and procedures to reflect all HCBS requirements. Both new and revised policies and procedures will be submitted to DHS/MQD for review and approval. Priority policies and procedures that are under revision, review, or development are Person-Centered Planning, Participants' Rights and Responsibilities, Positive Behavioral Supports, and Restrictive Interventions. DOH/DDD is developing Process Maps for its key functions to determine opportunities for improvements and integrating HCBS requirements into all applicable processes and supporting policies and procedures.

## **REVISIONS TO NEW PROVIDER APPLICATIONS AND ORIENTATION**

*Anticipated Date of Completion: 10/2016*

To become a Medicaid waiver provider, a new prospective provider must be in full compliance with the HCBS Final Rule. DOH/DDD has developed a checklist for any new provider applicant to evaluate its compliance with HCBS requirements at the time of enrollment. The checklist was based on the validation tool developed through the My Choice My Way Advisory Group. Additional revisions to the application are in process and will be used for any new applicant starting in July 2016. The revised new provider application and orientation manual will be submitted to DHS/MQD for review and approval. In addition to the orientation manual, DOH/DDD will offer training for prospective applicants to provide waiver services.

## **PROVIDER TRAINING**

*Anticipated Date of Completion: 12/2017*

DOH/DDD and DHS/MQD, in conjunction with the My Choice My Way Advisory Group, are designing a Communications/Training Plan which will address the various ways information will be disseminated to the various types of providers of waiver services. The Communications/Training Plan will be developed from an instructional design perspective and will identify the best modalities for training each of the provider types, training phases (from foundational to more advanced trainings depending on the provider type), tools and materials to be developed to reinforce training messages, and the timeline for completing each phase of the training plan. Training will be mandatory for all HCBS providers. In addition to the mandatory trainings, DOH/DDD will continue to hold All-Provider meetings at least twice per year where general issues related to compliance with the HCBS Final Rule is a standing agenda item. Focused trainings will be provided related to provider-specific issues requiring remediation.

## **PROVIDER MONITORING FOR REMEDIATION AND ONGOING COMPLIANCE**

*Anticipated Date of Completion: Ongoing*

Each waiver provider agency that does not meet all requirements of the Final Rule must develop a provider specific transition plan to achieve compliance with HCBS requirements. The transition plan must include convening an advisory group comprised of, at a minimum, a self-advocate and a family member, to provide input in the transition plan and completing self-assessment in collaboration with the advisory group at frequent intervals to evaluate progress toward compliance. The transition plan must be submitted to and reviewed by DOH/DDD. All waiver provider agencies must have policies and procedures that reflect the Final Rule requirements; train all staff on the requirements; include Final Rule requirements and compliance in agreements or contracts between the agency and its subcontractor; and have quality structures in place to ensure ongoing compliance with the Final Rule.

DOH/DDD will redesign the monitoring tool and process for evaluating providers, including the addition of new strategies such as reviewing the benchmarks identified in the provider's transition plan, observations of

the activities in which participants are engaged in the community and conducting interviews with participants and families to gather information on the experience of the participant. At a minimum, interviews and observations will be conducted with the annual monitoring site visits. Other sources of information about participant experience and choice will also be used, including the National Core Indicator data and Individualized Service Plan. Revised monitoring materials will be submitted to DHS/MQD for review and approval. The state monitoring staff will receive training to implement new strategies.

DOH/DDD will redesign the monitoring tool for annual inspections of adult foster homes to ensure compliance with HCBS requirements. Certified caregivers who are not in compliance will be required to submit a plan of correction documenting actions to address deficiencies. Annual inspection reports are posted on a DOH/DDD website.

#### **DEVELOP PROCESS FOR PROVIDER ACCOUNTABILITY**

*Anticipated Date of Completion: 6/2018*

In the event the provider has gone through remediation activities and continues to demonstrate non-compliance with HCBS requirements, the state will develop a tool and process for issuing site-specific or agency sanctions up to disenrollment. Criteria will be developed for disenrollment and an appeal process will be developed if the provider disagrees with the pending action. The state will include stakeholders in discussions to develop the tool and process. DOH/DDD and DHS/MQD will seek input from stakeholders on the tool and process to address provider accountability and sanctions.

#### **PLAN TO TRANSITION TO COMPLIANT PROVIDER**

*Anticipated Date of Completion: Ongoing*

DOH/DDD will coordinate a transition process for participants in settings that cannot meet the HCBS requirements. A notification letter will be sent to the participant and the case manager. The case manager will discuss the options available and have the participant or guardian choose a new provider. The case manager will work collaboratively with the new provider to ensure a smooth transition. A meeting is then arranged with the new provider and a target transition date is set, along with signing and updating all the required documents needed for the new provider.