ODP Announcement

NOW AVAILABLE: CMS Approved Consolidated and P/FDS Waiver Amendments Effective July 2016

ODP Communication Number: Memo 048-16

The mission of the Office of Developmental Programs is to support Pennsylvanians with developmental disabilities to achieve greater independence, choice and opportunity in their lives.

AUDIENCE: Individuals, Families, Administrative Entities (AEs), Supports Coordinators (SCs), SC Supervisors, Supports Coordination Organizations (SCOs), Providers, and other interested parties.

PURPOSE: The purpose of this announcement is to inform all interested parties of the Office of Developmental Programs’ (ODP’s) approval of the fifth set of amendments for the Consolidated and Person/Family Directed Support (P/FDS) Waivers. The effective date for the P/FDS Waiver amendment is July 8, 2016. The effective date for the Consolidated Waiver amendment is July 13, 2016. The approved amendments are available on the Department of Human Services (DHS) website.

DISCUSSION:

ODP is pleased to announce that the fifth set of amendments for the Consolidated and P/FDS Waivers have been approved by the Centers for Medicare and Medicaid Services (CMS). These amendments contain some important changes to improve the Pennsylvania intellectual disability system. Many of these changes have been made as a result of recommendations communicated to us by a wide range of stakeholders.

ODP previously released Announcement 026-16, NOW AVAILABLE: Fifth Waiver Amendments Submitted to CMS for ODP Consolidated and Person/Family Directed Support Waivers Effective June 30, 2016. This Announcement informed stakeholders that ODP submitted amendments for the Consolidated and P/FDS Waivers to the Centers for Medicare and Medicaid Services (CMS) on April 1, 2016. This Announcement also listed the notable changes made to each
Appendix of the Waivers. This list remains valid; there have been no alterations to the information listed as a notable change in Announcement 026-16.

CMS requested the following additional notable changes to the Waivers that were not communicated in Announcement 026-16:

- The approved effective date for the P/FDS Waiver amendment is July 8, 2016. The approved effective date for the Consolidated Waiver amendment is July 13, 2016.
- Active treatment was removed as a level of care eligibility criterion in Appendix B-6. Active treatment is described by CMS as “aggressive, consistent implementation of a program of specialized and generic training, treatment and health services”. CMS provided guidance stating that active treatment only applies as an eligibility requirement for Intermediate Care Facilities for Persons with an Intellectual Disability (ICFs/ID) and not for home and community based services waivers. To be enrolled in either the Consolidated or P/FDS waiver, an individual still has to have an intellectual disability diagnosis and a medical evaluation.
- As a result of feedback provided during the teleconferences regarding these amendments, ODP is changing the guidance previously provided regarding Companion services. Companion services continue to be solely available to individuals age 18 and older. As a result of conversations with CMS, it was discovered that medically necessary personal care services are covered through Medical Assistance as part of the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefit. For this reason, individuals who are age 18 to 20 may not receive medically necessary personal care services as part of Companion services. Medically necessary personal care services provide a range of assistance with performing activities of daily living, such as dressing, eating, bathing, transferring, and toileting; and instrumental activities of daily living, such as preparing meals and managing medications.
- Specialized Supplies are now categorized as an “extended state plan service” and are only available to adult individuals (individuals age 21 and older). All medically necessary supplies are covered through Medical Assistance as part of the EPSDT benefit for individuals who are under age 21. Medically necessary incontinence supplies covered by Specialized Supplies; diapers, incontinence pads, cleansing wipes, underpads, and vinyl or latex gloves are covered by Medical Assistance and limitations must be exhausted before Specialized Supplies can be covered by the waivers for adult individuals.

🌟 ACTION BY SUPPORTS COORDINATORS:

If an individual’s services are impacted by changes in the amendments, an ISP team meeting should be held as soon as possible to discuss alternate supports and services. Any individual who will be impacted by the changes approved in these amendments must transition to alternative and appropriate services and supports by January 31, 2017.
Information on the approved Consolidated and P/FDS Waivers effective July 2016 can be found on the DHS Website (http://www.dhs.state.pa.us/). This includes the approved waivers in their entirety and the PowerPoint presentation given during the teleconferences on July 8th, July 11th and July 19th.

Direct links to the approved Consolidated and P/FDS Waiver amendment documents are provided below:

Consolidated Waiver:

http://dhs.pa.gov/learnaboutdhs/waiverinformation/consolidatedwaiverforindividualswithintellectualdisabilities/index.htm

Person/Family Directed Support (P/FDS) Waiver:

http://dhs.pa.gov/learnaboutdhs/waiverinformation/personfamilydirectedsupportwaiver/index.htm

Further guidance regarding implementation of the Waiver amendments is being developed and will be forthcoming. This will include a question and answer document and revisions to the ISP Manual to include this information and any other updates needed. Communications will be published when these documents are available.

If you have any questions regarding the waiver amendment process or the information posted, please email RA-odpcomment@pa.gov.