



Department
of Health

Office of
Mental Health

Office of Addiction
Services and Supports

Office of Children
and Family Services

Office for People With
Developmental Disabilities

State Discussion with Children's Waiver HCBS Providers

December 2020

Purpose

To have an open dialogue between the State and HCBS Providers to communicate issues and concerns

- HCBS providers to have the ability to discuss barriers and be a part of the problem-solving discussion
- The State to have the ability to share upcoming changes, guidance, information, and to obtain feedback directly from the HCBS providers



Agenda

- EVV Reminder
- HCBS Settings Final Rule Presentation
- HCBS LPHA Attestation
- HCBS 2019-2020 Case Review
- Follow-up/Highlights from November meeting
 - HCBS Access Survey
 - Interactive Provider Map
 - Support and Training



EVV Reminder

EVV Reminder: Declaration Forms Past Due

- Children's Waiver HCBS Respite providers must complete an annual Children's Waiver EVV Declaration Form to confirm whether the provider meets the EVV requirement in serving ANY children/youth at any time. If the Respite provider serves one member that meets EVV criteria, then the provider must be EVV system compliant.
- Respite providers that declare that they *do* meet the EVV requirements (as well as all Community Habilitation providers) must implement an EVV system and submit EVV data to the NYS Aggregator by January 1, 2021.
- The EVV Declaration Forms were originally due **November 18, 2020**. There are still ~15 Respite providers who have not submitted Declaration Forms.



HCBS Settings Final Rule

HCBS LPHA Attestation

HCBS LPHA Attestation

- The Licensed Practitioner of the Healing Arts (LPHA) Attestation form as part of the HCBS/Level of Care (LOC) Eligibility Determination has been revised based upon stakeholder feedback
- There are now separate forms for each target population – Serious Emotional Disturbance ([SED](#)), Medically Fragile ([MF](#)), and Developmental Disability who are Medically Fragile ([DD/MF](#))
- The list of allowable LPHA practitioners who may complete the LPHA attestation form has been expanded to include LPHA's who have ability to diagnose within their scope of practice under NY State law **OR** *who are under supervision* of an LPHA who has the ability to diagnose within their scope of practice under NY State law.
- The LPHA Attestation Form will *only* be needed during the initial HCBS/LOC Assessment and not as part of the annual reassessment, unless there is a break in services.
- The updated LPHA forms (SED, MF, DDMF) and instructions can be found on NYSDOH website under ***Eligibility Forms*** subsection.



Children's HCBS Case Review

Announcing HCBS Case Reviews

- CMS requires annual case reviews for children/youth receiving HCBS
- DOH has contracted with NYSTEC to conduct HCBS case reviews and audits in conjunction with the NYSDOH children's team and State partners of OCFS, OMH, OPWDD, and OASAS.
- Due to the State of Emergency of COVID-19, the timeline for this first annual review/audit has been delayed and therefore will begin later than future reviews will occur. Additionally, due to the delay of this review, the second year's (2020-2021) review will be immediately following this first review (2019-2020).
- For the 2019-2020 waiver year, case reviews will be conducted at the Health Home/C-YES level – however, HCBS providers may be asked to provide supporting documentation
 - Future reviews will be at the member level and with HCBS providers
- Preliminary performance measures review and fiscal audit began in November 2020 and Case Reviews are scheduled to begin in January 2021



Order of Review by Health Home and C-YES

Care Management Entity	Participant Sample	Ineligible Sample	Total Number of Reviews
Institute for Family Health	0	1	1
Greater Rochester Health Home Network LLC	13	0	13
Encompass Health Home, LLC (Catholic Charities of Broome County)	18	0	18
Children's Health Home of Upstate New York, LLC (CHHUNY)	72	7	79
The Collaborative For Children and Families	48	5	53
Central New York Health Home Network	18	0	18
Children's Health Home of Western New York, dba Oishei Healthy Kids	18	0	18
Coordinated Behavioral Care aka Pathways to Wellness	32	4	36
St. Luke's Mount Sinai	16	0	16
Sun River Health dba Community Health Care Collaborative	26	1	27
Community Care Management Partners Health Home	19	0	19
Niagara Falls Memorial Medical Center HH	1	0	1
Bronx Accountable Healthcare Network	20	1	21
Adirondack Health Institute, Inc.	21	0	21
Children & Youth Evaluation Service (C-YES)	30	2	32
Northwell	17	0	17
St. Mary's Healthcare	0	0	0



Follow-up/Highlights from November 2020 Discussion



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Addressing HCBS Access

- The designation list has been updated and contains designated HCBS providers who are prepared to **actively** provide services. This will assist HHCM/CYES to know the providers who are serving children and make the referral process easier.
- The State will create **an interactive map of the designated providers** by service and by county to determine the gaps of providers and/or services so referrals can be directed to these providers, when appropriate per the Plan of Care.
- Once the list of designated providers and the mapping is completed, the State will be asking the HHs/C-YES to report (December 2020) when HHCMs / CYES staff are encountering waitlist issues or other HCBS provider issues via the **HCBS Access Survey**
- This process will assist to identify potential services/providers in particular areas knowing that referrals are available within the county/area to build appropriate capacity.



Provider Designation Mapping

Children HCBS & CFTSS Agency Site Map

Step 1: Filter to the county/counties served by agency

- (All)
- Albany
- Allegany
- Bronx
- Broome
- Cattaraugus
- Cayuga

Step 2: Filter between HCBS/CFTSS services

- (All)
- HCBS

Step 3: Filter to the HCBS/CFTSS service(s) the agency is designated to provide

- (All)
- Caregiver Family Support and Services
- Community Habilitation
- Community Self Advocacy Training and Support
- Crisis Respite
- Planned Respite
- Prevocational Services
- Supported Employment

Hover over map pin to see HCBS/CFTSS agency site information. Use filter criteria on left to narrow search.
 County: Albany | Service Type: HCBS | Service: Caregiver Family Support and Services

Site Name Saint Anne Institute Troy Site
Agency Name Saint Anne Institute
Site Address 1801 6th Avenue, 2nd floor, Troy, NY, 12180
Service Caregiver Family Support and Services
Agency Contact Name Theresa Gabriel
Agency Contact Phone (518) 437-6502

* Denotes multiple records, use filters on left to narrow results
 42.7314, -73.6867

Data Source: Children HCBS & CFTSS Ag...
 Dashboard | 9 marks | 1 row by 1 column | SUM of AVG(Lng): -664.0724



Upcoming Policies for Children's HCBS Providers

- Designation
- Re-designation
- Background Checks
- Grievances and Complaints*
- Reportable Incidents*
- Documentation Policy
- Waiver Enrollment
- Waiver Disenrollment
- Transitional Age Youth

Target Release Date: November

Effective Date: March 1, 2021

Training Completed: April 1, 2021

**Including information regarding reporting/monitoring within a soon-to-be-released system*



Upcoming HCBS Children’s Waiver Training

HCBS Overview	LOC/ Eligibility Determination	Waiver Enrollment	POC Development	Referral	Maintaining Waiver Enrollment / Service Delivery	Transfer / Disenroll
Children’s Medicaid System Overview Overview	CANS-NY/ Eligibility Assessment	Capacity Management	Plan of Care/Person-Centered Planning Requirements	HCBS POC Workflow and MMCP Authorization	Care Management Requirements	Waiver Disenrollment
Health Home Care Management	NODs and Fair Hearing	Participant Rights and Protections / Conflict Free Care Management	Service Delivery		Service Delivery Requirements	Transferring to Adult Services or OPWDD waiver
HCBS Provider Requirements	Children and Youth Evaluation Services (C-YES) – the Role of the Independent Entity	Conflict Free Care Management				
Medicaid Overview / Medicaid and the Children’s Waiver						
Service Definitions						

Required for only Health Home Care Managers
Required for only HCBS Providers
Required for Both
Optional for Both

Discussion



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All Children's Waiver HCBS questions and concerns, should be directed to the NYS Department of Health at BH.Transition@health.ny.gov mailbox or 518.473.5569



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