



Department  
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# State Discussion with Children's Waiver HCBS Providers

April 2021

# 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

- Incident Reporting and Management System (IRAMS)
- Reminder: HCBS Settings Final Rule
- Follow-Up: HCBS Delivery Education
- Issued Policies and Webinars
- HCBS Providers Reporting Issues Guidance Reminder
- Agenda Topics for May meeting

## Appendix

- Guidance Reminder

# IRAMS

April 2021

# IRAMS Overview

- HCBS providers are required to report **critical incidents** as outlined in the Children's Waiver and HCBS provider policy, effective April 1, 2021.
  - [HCBS Provider Reportable Incidents Policies and Procedures #CW0004](#)
- HCBS providers need to report **complaints and grievances** as outlined in the Children's Waiver and issued policies, effective April 1, 2021.
  - [Complaint and Grievance Policy HCBS Providers #CW0008](#)
- Webinars for IRAMS were held on March 31<sup>st</sup> and are available on the NYSDOH website – [for HH/CMAs](#) and for [HCBS Providers/C-YES](#)

# IRAMS

- As a requirement within the Children's Waiver; tracking and reporting of all Critical Incidents, Complaints, and Grievances must occur
- The HH, C-YES, and MMCP already have policies and processes in place
- The NEW Incident Management System will take the paper process for HHs and C-YES electronically and we will be adding HCBS providers

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- Does your agency have access to the Health Commerce System (HCS)?
- Does your agency have access to IRAMS?
- HCBS providers will need to identify 1-3 staff to have access to the system – not all staff should have access
  - Access will be given by the HCBS provider's HCS Coordinator
- **What access issues is your agency having, what TA does your agency need?**

# IRAMS Q&A

Questions and requests for technical assistance regarding IRAMS can be sent to the **Email Health Homes webform:**

<https://apps.health.ny.gov/pubpal/builder/email-health-homes> **Select: IRAMS**

**Questions only- No PHI**

# HCBS Settings Final Rule

April 2021



# HCBS Settings Final Rule - *Documentation*

- As part of the process to confirm compliance with the CMS HCBS Settings Final Rule, designated children's HCBS providers must submit a completed [Documentation Worksheet](#) for each designated site.
- Documentation Worksheets were due **3/10/2021**
  - If your agency has not already submitted documentation, please do so as soon as possible
  - Providers will receive confirmation that their documentation has been received (if you do not receive confirmation within 1 business day, please follow-up)

Questions regarding the HCBS Settings Final Rule can be directed to [ChildrensWaiverHCBSFinalRule@health.ny.gov](mailto:ChildrensWaiverHCBSFinalRule@health.ny.gov)

# HCBS Settings Final Rule – *Site Visits*

- A random sample of providers have been selected for virtual onsite assessments that are beginning this week.
- Documentation reviews are being prioritized as follows:
  - Sites selected for virtual onsite assessments
  - Residential sites
  - Non-residential sites
  - Sites delivering services in the home/community only
- Providers will receive confirmation once the documentation review is complete.

# Questions or Situations to Discuss?

## Do you need our Team to Contact you?

Questions regarding the HCBS Settings Final Rule can be directed to [ChildrensWaiverHCBSFinalRule@health.ny.gov](mailto:ChildrensWaiverHCBSFinalRule@health.ny.gov)

# HCBS Delivery Education

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# HCBS Providers Sharing Their Expertise

- Previously the State asked for HCBS provider volunteers to assist with educating Health Home care managers, C-YES, and other stakeholders about the HCBS
- The State will provide a template and set up a time to record the presentations in April

## Tentative Agenda:

1. Name of service and definition (DOH will provide)
2. Qualified practitioners who may deliver the service (DOH will provide)
3. Purpose of the service
4. Identify which children/youth would benefit from the service
5. Types of Needs the service can meet (Link need/behaviors to service)
  - a. Examples will be helpful
6. The provider process to deliver the service
7. Typical frequency, scope, and duration for the service
8. Anything else the HCBS provider believes would be helpful

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# Providers Who Volunteered to Support HCBS Delivery Education

- DOH previously asked agencies if they are interested in participating, respondents include:
  - Astor Services for Children and Families
  - CHDFS, Inc.
  - Extraordinary Home Care d/b/a St. Mary's Home Care
  - Herkimer County Chapter, NYSARC Inc.
  - Pathways, Inc.
  - JCCA
- Services NOT covered by these providers include:
  - Palliative Care – Massage Therapy
  - Palliative Care – Pain and Symptom Management

**Please let DOH know if your agency is interested in providing support and/or if you know of a child/youth/family who would be willing to share their experience**

# Scheduling

NYS DOH is reaching out to the HCBS provider

- Will provide a power point template
- Will provide a due date for power point returned for review
- Will schedule the recording date

Date of recording

- Opening review and introduction by DOH
- Presentation from HCBS provider

Posting to DOH website

HCBS providers can provide provider FAQ, tips sheet, or other documents that they think would be helpful to for HHCMs and C-YES regarding the service delivery

# Policies and Webinars

April 2021



# Policies and Webinars

- The State has issued a number of policies and webinars
  - Health Homes and HCBS providers request guidance how to implement the work of the Children's Waiver
  - The State needs to demonstrate compliance to the Waiver and ensure HH, C-YES, and HCBS provider know the Waiver requirements
  - Address workforce turnover
  - Consistency building of the Waiver requirements – with the State's policies and trainings, the HHs, C-YES, HCBS providers, and other stakeholders can reinforce the requirements and build their own trainings and policies
- Would like to hear feedback from HCBS providers about the policies and webinars – what else is need or what else would be helpful?

# Children's Waiver Requirements

The Children's Waiver performance requirements:

- Every three (3) years, HCBS provider designation needs to be reviewed (first one in 2021)
  - The State will be putting out HCBS Provider Designation/Re-designation policies
  - Providers should also review the [De-designation Procedure](#)
- Annually a case review and billing audit
  - Verification of HCBS providers' meeting qualifications and training requirements
    - Survey Monkey for HCBS providers attesting will occur in June/July 2021
    - 2022 more in-depth review will occur
- Verification that HCBS providers know and understand Waiver Requirements
  - When HCBS providers were designated, they signed a previous waiver attestation
  - Updated Provider Designation Attestation will be needed from all HCBS providers

# Upcoming HCBS Children’s Waiver Webinars

HCBS Overview	LOC/ Eligibility Determination	Waiver Enrollment	POC Development	Referral	Maintaining Waiver Enrollment / Service Delivery	Transfer / Disenroll
Children’s Medicaid System Overview/ Children’s Waiver Overview	CANS-NY/ Eligibility Assessment	Capacity Management	Plan of Care/Person-Centered Planning Requirements	HCBS POC Workflow and MMCP Authorization	Care Management Requirements for HCBS	Waiver Disenrollment
Health Home Care Management Basics	NODs, Fair Hearing, Critical Incident Reporting, Grievances and Complaints	Participant Rights and Protections	Service Delivery and Definitions		Service Delivery Requirements	Transferring to Adult Services (aging out) or OPWDD waiver
HCBS Provider Requirements for Designation	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						

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

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# Policies for Children's HCBS Providers

Policy Title	Link	Posted Date	Effective Date	Applicable to Health Homes	Applicable to HCBS Providers
Children's HCBS Plan of Care (POC) Workflow Policy	<a href="#">Link</a>	9/1/2019	10/1/2019	Yes	Yes
HH POC Policy ( <i>Note: includes a section specific to Children's Waiver</i> )	<a href="#">Link</a>	7/30/2019	10/1/2019	Yes	No
Conflict Free Care Management (CFCM) Policy	<a href="#">Link</a>	Revised 5/1/2020	2/1/2020	Yes	No
HH Reportable Incidents Policies and Procedures ( <i>Note: section specific to Children's Waiver</i> )	<a href="#">Link</a>	Revised 10/7/2019	7/14/2017	Yes	No
Children's HCBS Plan of Care (POC) Workflow Policy	<a href="#">Link</a>	9/1/2019	10/1/2019	Yes	Yes
HH POC Policy ( <i>Note: includes a section specific to Children's Waiver</i> )	<a href="#">Link</a>	7/30/2019	10/1/2019	Yes	No
Conflict Free Care Management (CFCM) Policy	<a href="#">Link</a>	Revised 5/1/2020	2/1/2020	Yes	No
HH Reportable Incidents Policies and Procedures ( <i>Note: section specific to Children's Waiver</i> )	<a href="#">Link</a>	Revised 10/7/2019	7/14/2017	Yes	No
HCBS Provider Incident Reporting Policy	<a href="#">Link</a>	12/31/2020	4/1/2021	No	Yes
HHSC Grievances and Complaints Policy	<a href="#">Link</a>	2/9/2021	4/1/2021	Yes	No
HCBS Provider Grievances and Complaints Policy	<a href="#">Link</a>	2/9/2021	4/1/2021	No	Yes
HH Background Check Requirements	<a href="#">Link</a>	4/1/2018	4/1/2018	Yes	No
HCBS Provider Background Check Policy	<a href="#">Link</a>	12/31/2020	4/1/2021	No	Yes
HCBS Documentation Policy		TBD		Yes	Yes
HCBS Provider Designation and Re-designation Policy		TBD		No	Yes
HCBS Provider De-designation Policy	<a href="#">Link</a>	9/1/2020	9/1/2020	No	Yes
Children's HCBS Enrollment Policy	<a href="#">Link</a>	1/26/2021	4/1/2021	Yes	Yes
Children's HCBS Disenrollment Policy	<a href="#">Link</a>	1/26/2021	4/1/2021	Yes	Yes
HCBS Notice of Decision Policy		TBD		Yes	Yes
HHSC Transitional Age Youth Policy		TBD		Yes	No
HCBS Provider Transitional Age Youth Policy		TBD		No	Yes
Health Home/C-YES Transfer Policy	<a href="#">Link</a>	2/1/2021	2/1/2021	Yes	No

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# Reporting Issues to DOH



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# Reporting Issues to DOH

- Per recent guidance: [HCBS Provider Directive to Continue Services to Participants and Seek DOH Assistance](#), providers should notify DOH of any issues causing disruption to service delivery
- Notification to the State must occur *prior* to disenrolling a child/youth from HCBS due to any administrative, billing, or care coordination issues
- HCBS providers experiencing administrative, billing, or care coordination issues must work to resolve those issues with the MMCP, Health Homes, care management agencies, C-YES, and/or the State to ensure they are not causing a disruption of services
- Providers can seek assistance in resolving FFS billing and claims issues by calling eMedNY at 1-800-343-9000
- Providers can contact MMCPs directly to resolve issues. MMCP contacts can be found using the MCTAC MMCP Contact Matrix, located here: <https://matrix.ctacny.org/>
- If providers are unable to resolve issues, they should contact the State [\\_BH.Transition@health.ny.gov](mailto:BH.Transition@health.ny.gov)



# Future Meetings & Contact Information

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# Future Agenda

Please submit your agenda requests, suggestions, or questions to [BH.Transition@health.ny.gov](mailto:BH.Transition@health.ny.gov)

May meeting will be canceled due to OPWDD webinars

- Do we need to reschedule or wait until June?

June meeting agenda items needed

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# APPENDIX



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# Guidance Reminders

- Guidance: [Medicaid Status Impact on HCBS Eligible Children](#)
- Guidance: [Care Management Requirements for HCBS Eligible Children](#)
  - Children/youth enrolled in the waiver **must** receive the HCBS needed for health, safety, and welfare. Due to their high needs, children/youth with a Children's Waiver plan of care requiring HCBS *cannot be placed on HCBS provider's waitlist* for all their identified and referred HCBS.
  - HHCMs, C-YES, or MMCP, as applicable, must make every effort to find available HCBS and HCBS providers that meet the identified needs of the child/youth. The child/youth **must** be *referred to another HCBS provider in their service area with the capacity to serve the child/youth instead of being waitlisted.*