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Public notice and request for comment on 1915 (c) #0117 waiver renewal, 1915 (c) #0375 waiver amendment, 1915 (k) state plan amendment

The Oregon Department of Human Services' Office of Developmental Disabilities Services is seeking public comment regarding the 1915 (c) #0117 Child Home and Community Based Supports (HCBS) Waiver renewal, 1915 (c) Adult HCBS Waiver amendment, and the 1915 (k) state plan amendment.

For the past couple of years ODDS has been working to reorient the I/DD system to focus on person-centered planning. As part of this effort, and in response to steps required under the Legislatively Adopted Budget for 2017–2019, ODDS has been engaged in multiple efforts that are now called the “Compass Project”. Collectively, these efforts include:

- Validating and implementing the new functional needs assessment: Oregon Needs Assessment (ONA)
- Reorienting its focus from the functional needs assessment and hours of service to person-centered planning and “whole life” in the community
- Various rate setting efforts
- Policy work needed to operationalize these changes
- Updates to the eXPRS system

Many of these efforts require aligning existing Medicaid authorities to implement these initiatives.

This CMS submission includes reorganization of 1915 (c) Waiver authorities into Child and Adult Waivers. This new structure will simplify and streamline the federal authorities under which I/DD services are provided in Oregon and will allow ODDS to tailor services to children and adults in the future.

Additionally, the following changes are being made to the Adult and Child Waivers and the K-Plan.

#0117 Child HCBS Waiver:

- Include state-trained assessors as the person completing the functional needs assessment and level of care determination;
- Align level-of-care requirements with federal standard by consolidating 12 areas of functional deficit to six;
- Add Benefits Planning as an activity to Employment Path service;
- Remove Financial Management Service as a waiver service and reflect it as an administrative service to align with current practice;
- Remove Direct Nursing as this waiver will only serve children and Private Duty Nursing is available under EPSDT.
- Update Appendix D to reflect the current Individual Support Plan (ISP) process;
- Update Appendix G to allow for the use of restraints and restrictive interventions to align with Medicaid requirements and to ensure health and safety of individuals in employment settings; and
- Update quality assurance performance measures based on CMS feedback.

#0375 Adult HCBS waiver:

- Include state-trained assessors as the person completing the functional needs assessment and level-of-care determination;
- Align level-of-care requirements with federal standard by consolidating 12 areas of functional deficit to six;
- Add Benefits Planning as an activity to Employment Path service;
- Remove Financial Management Service as a waiver service and reflect it as an administrative service to align with current practice;
- Remove Special Diets service due to lack of use;
- Update Appendix D to reflect the current ISP process;
- Update Appendix G to allow for the use of restraints and restrictive interventions to align with Medicaid requirements and to ensure health and safety of individuals in employment settings; and
- Update quality assurance performance measures based on CMS feedback.

1915 (K) State Plan Amendment:

- Add Assessment as a discrete service;
- Include state-trained assessors as persons completing the functional needs assessment;

- Expand case management contacts from just face-to-face or phone to face-to-face or other interactive methods to match the currently approved waiver language;
- Update natural supports language to reflect CMS guidance; and
- Technical updates.

ODDS will limit state-trained assessors who provide Assessments as a discrete service to the population it serves to employees of entities designated by ODDS under a 1915(b)(4) Waiver Fee-for-Service Selective Contracting Program.

The proposed 1915 (c) waivers and 1915 (k) state plan amendment are online at <http://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/compass-project.aspx>

Print versions of the waivers and 1915 (k) state plan amendment are posted in local Community Developmental Disabilities Programs (<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/county-programs.aspx>) and Support Services Brokerages (<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/Support-Services-Brokerages.aspx>). Print versions may also be obtained from Joli Schroeder, Medicaid Waiver/State Plan Analyst, 503-507-2083, joli.r.schroeder@state.or.us.

Interested parties are asked to submit comments via one of two methods: Send an email to odds.info@state.or.us or send written comments addressed to ODDS Medicaid Waiver/State Plan Analyst, 500 Summer Street NE E-09, Salem, OR 97301.

Deadline for comments is March 21, 2018. Mail responses must be received by this date in order to be considered.

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