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### **Public Notice and Input on New State Plan for DHS Aging and People with Disabilities and Developmental Disabilities Services Programs**

Public notice is being provided by the Department of Human Services, Aging and People with Disabilities (APD) and Office of Developmental Disabilities Services (ODDS) on long term care program changes. The agency plans to amend its Community First Choice Option 1915(k) State Plan Option (K Plan) submission along with changes to its six Home and Community Based Services (HCBS) waivers currently in effect. Additionally, APD and ODDS intend to submit two 1915(b)(4) waiver to operate concurrently with the 1915(c) waivers.

None of these changes will result in a loss of services for consumers. Additionally, we do not anticipate any reduction in compensation for providers. The total aggregate expenditures are expected to remain consistent with current projections for home and community based services provided through waivers and state plans.

The following State Plans and waivers are impacted:

- ... 1915(k) Community First Choice Option State Plan Amendment- This amended submission will allow the State to provide activities of daily living/ instrumental activities of daily living (ADL/IADL) and other health related services based on a functional needs assessment to any Medicaid-eligible individual who meets institutional Level of Care (LOC), in any home and community-based service setting. This option includes an enhanced 6% FMAP rate.

... 1915(c) Home and Community - Based Services Waivers:

Comprehensive Services Waiver #0117: Renewal - Removes ADL/IADL services/functions that must be covered under State Plan Personal Care or the 1915(k) State Plan Option. Waiver Case Management has been added as a new service. The 1915(g) Targeted Case Management state plan amendment will be removed from the State Plan by July 1, 2013. Service under this waiver are now available to children residing in their own or family home. Services remaining in the Comprehensive Waiver are: Family Training, Extended State Plan Physical Therapy/Occupational Therapy/Speech, Hearing, Language services for individuals aged 21 and older, Supported Employment/Pre-Vocational, Alternatives to Employment - Habilitation and Waiver Case Management. All other services will be provided under the K Plan or State Plan Personal Care.

Support Services Waiver #0375Amendment - Removes ADL/IADL services/functions that must be covered under State Plan Personal Care or the 1915(k) State Plan Option. Waiver Case Management has been added as a new service. The 1915 (g) Targeted Case Management state plan amendment will be removed from the State Plan by July 1, 2013. The services remaining in the Support Services Waiver are: Family Training, Special Diets, Specialized Supports, Support Services Brokerages (OHCDs), Extended State Plan Physical Therapy/Occupational Therapy/Speech, Hearing, Language services for individuals aged 21 and over, Supported Employment, Community Living and Inclusion Supports - Habilitation and Waiver Case Management. All other services will be provided under the K Plan or State Plan Personal Care.

Behavioral Model Wavier #40194, Medically Fragile Children's Model Wavier #0565 and Medically Involved Children's Model Wavier 40193: Amendments- Removes ADL/IADL services/functions that must be covered under State Plan Personal Care or the 1915(k) State Plan Option. Waiver Case Management has been added as a new service. The 1915(g) Targeted Case Management state plan amendment will be removed from the State Plan by July 1, 2013. The services remaining under these Model Waivers are: Family Training, Special Diets, Translation and Waiver Case Management.

All other services will be provided under the K Plan or State Plan Personal Care.

APD Waiver Amendment - Removes ADL/IADL services/functions that will be covered under State Plan Personal Care or the 1915(k) State Plan Option. Waiver Case Management has been added as a new service. The only service to remain in the APD Waiver is Waiver Case Management. All other services will be provided under the K option, 1915(j), Program of All Inclusive Care for the Elderly or State Plan Personal Care. Relative Adult Foster care has been removed as a service in the APD waiver and will be provided in the 1915(k) as an in-home service.

- ... 1915(b)(4) Waivers: Two new waivers that operate concurrently with the above listed 1915(c) waivers. One 1915(b)(4) limits qualified providers of Waiver Case Management to case managers in AAA (APD) offices and local State offices (APD). This waiver will run concurrently with the APD Wavier #0185. APD Waiver Case Management is a new service. The rate will be a monthly fee for service rate based upon costs of providing services.

Another 1915(b)(4) waiver limits qualified providers of Waiver Case Management Services to case managers employed by CDDPs (DD), Support Services Brokerages (DD) and DHS, ODDS (DD). This waiver will operate concurrently with the Comprehensive Services Waiver #0117, Support Services Waiver #0375, Behavioral Model Waiver #40194, Medically Fragile Children's Waiver #40193 and Medically Involved Children's Waiver #0565. Prior to July 1, 2013, case management services are being administered under the authority of Oregon's Medicaid State Plan. Operating these waivers concurrently maintains the current case management service delivery model for DD. The rate will be a monthly fee for service rate based upon the costs of providing services.

Case management services offered under the 1915(c) HCBS waivers will ensure that individuals receiving a waiver service to maintain Medicaid eligibility will remain eligible while receiving home and community based services under the K Plan. This is critical for the special income group, also referred to as the 217 group or the 300% SSI group.

- ... 1915(j) State Plan Option is being updated to reflect a technical change to the eligibility process. Eligibility criteria will be changed to reflect state plan criteria. This does not change financial or level of care eligibility.
  
- ... 1915(g) Targeted Case Management – Targeted Case Management state plan amendment will be removed effective July 1, 2013 from the Developmental Disability Comprehensive Waiver, Model Waivers and Developmentally Disabled Self Directed Support Services Waiver.

Feedback for the proposed changes identified in the State Plans and waivers will continue to be gathered through the Tribal Notification Process and the Design and Implementation Council.

Information regarding proposed changes for Waiver and State Plan services may be obtained through local offices. You may find the local office closest to you by clicking on the following links:

Aging and People with Disabilities:

<http://www.oregon.gov/dhs/spwpd/Pages/offices.aspx>

Office of Developmental Disabilities:

[http://www.oregon.gov/dhs/DD/pages/county/county\\_programs.aspx](http://www.oregon.gov/dhs/DD/pages/county/county_programs.aspx)

Information may also be found on the DHS website at:

<http://www.oregon.gov/dhs/k-plan/Pages/resources.aspx>

Please send written comments by June 30, 2013 to Jesse Anderson; Division of Medical Assistance Programs; Oregon Health Authority; 500 Summer St. NE; Salem, OR 97301-1079 or [jesse.anderson@state.or.us](mailto:jesse.anderson@state.or.us) .

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