The TennesseeWorks Partnership Team and Employers and Providers Workgroup

Comments on the Definitions and Appendices

TennesseeWorks is working to increase the number of young people with intellectual and developmental disabilities (IDD) who are employed in the state. The TennesseeWorks Partnership exists to

1) create a compelling, sustainable collaborative committed to this goal;
2) Raise the aspirations and capacities of young people, their families, educators, service systems, and employers to pursue integrated, competitive work as a first choice;
3) Equip families and educators across the entire state with accessible and relevant resources, training, and supports to enable them to successfully connect youth with disabilities to early work experiences;
4) Develop a shared, cross-agency data system to enable data-driven decision making;
5) Stimulate systems and policy change statewide.

Following are the comments of the TennesseeWorks Partnership and its Employers and Providers Group:

Appendix C: Participant Services

1) Please add:
To provide the individual information about self-advocacy groups and self-determination opportunities and to assist in getting transportation supports for these opportunities written into the ISP as needed or upon request of the individual;

To be included in
- the list of specific tasks of the #3 support coordination provider: Page 5 bottom of the page through page 6 top of the page
- the description of the duties and expectations of the caregiver in the #14 Family Model Residential Support on page 24
- the description of opportunities for those who chose #16 Intensive Behavioral Residential Services on page 27, full paragraph 2 and
- the description of #17 Medical Residential Services on page 31, full paragraph 2.
- The description of #21 Supported Living on page 37, last paragraph.

2) We appreciate the responsiveness of TennCare and the Department of Intellectual and Developmental Disabilities in making no changes to the dental benefit.
3) Please consider this change:

Page 11; #8, Specialized medical equipment and supplies and assistive technology: The following items are excluded from coverage: c. Hearing aids and augmentative alternative communication systems for children under age 21 years;

Not providing a payor of last resort for children under age 21 to obtain hearing aids and communications systems, particularly when low-cost, high tech ones have been shown to be so effective is in fact a denial of access to communication through the learning years, and makes “opportunities to seek employment and work in competitive integrated settings, engage in community life” much more difficult. One of the primary predictors of later behavioral difficulties is a lack of a communication system that works for a person to communicate their needs, wants and preferences. The system could save so much money in the long run on intensive behavioral treatment, if people had better ways to communicate. Denying people access to communication is not consistent with the HCBS principles: “Supports shall be provided in a manner which ensures an individual’s rights of privacy, dignity, respect and freedom from coercion and restraint; and which optimizes individual initiative, autonomy, and independence in making life choices.”

4) We support the person-centered practice of providing employment and community services at whatever time the individual may best be served. Not every one’s chronological clocks lend themselves to 7:30 am to 6pm planned activities. These more flexible options will allow for second, swing and third shift employment, where new employees often start. It will also allow for individuals to attend evening events in the community with adults with similar interests.

Page 17, #12 “Employment and Day Services shall be provided as specified in the person-centered ISP/plan of care in order to support the individual’s employment or community living activities, or the development, retention, and improvement of skills necessary to achieve employment and community living goals. Day Services may be provided to persons as a separate service where permitted under service specifications described in this waiver.

- The State does not anticipate implementing the option of providing non-Employment Day Services outside of the current time frame (Monday – Friday 7:30am- 6:00pm) on January 1, 2015. Milestones and timelines will be included in the transition plan in order to allow time to work with providers on developing the best approach for these changes.”

Arlington Waiver Appendices A, B and C.

p.6: Quality Improvement: Administrative Authority of the Single State Medicaid Agency b. Methods of remediation: Given court-documented issues with timeliness, we suggest that TennCare and DIDD outline the process for “timely remediation of all individual issues identified” so that the individual and providers can be informed about the steps for this process and so that should delays occur, the individual and providers will know of whom to make inquiries.

p. 7 Quality Improvement: Administrative Authority of the Single State Medicaid Agency b. Methods for Remediation/Fixing Individual Problems Performance Measure a.i.1: Given the delays with “data collection and reporting and aggregation” in recent years for disability services in Tennessee, is there now a system in place capable of generating the required reports to TennCare and DIDD?
p. 10 Appendix B-6: Evaluation/Reevaluation of Level of Care  
b. Methods for Remediation/Fixing Individual Problems Performance Measures  
a.i.a.2.: “Services provided prior to a person’s level of care eligibility and enrollment into the waiver will not be reimbursed.” Given court-documented issues with timeliness, we suggest that TennCare and DIDD outline the process for how the resolution of claims denials related to “no PAE on file” will be conducted.

Semi-Independent Living Services (SILS) definition  
p.2 “On a case-by-case basis, the DIDD Commissioner or designee may authorize Semi-Independent Living services for a person supported who resides with his or her spouse and or minor children.” Please provide further explanation as we are unclear how this will be determined and what the standards for approval will be.

Thank you for the opportunity to provide these comments. Should you like to speak with a representative of our TennesseeWorks Partnership Team and the Employers and Providers Workgroup, please contact Lynnette Henderson at (615) 936-0448 or Lynnette.henderson@vanderbilt.edu.

TennesseeWorks and the Employer and Provider Workgroup