



TRANSITION PLAN FOR CT DDS EMPLOYMENT AND DAY SUPPORTS WAIVER

In January 2014, the Centers for Medicare and Medicaid Services (CMS) announced a requirement for states to review and evaluate current home and community based (HCB) service settings, including residential and nonresidential settings, and to demonstrate how our waivers comply with the new federal HCB Settings requirements that went into effect March 17, 2014. States are expected to develop a transition plan that reflects compliance by March 17, 2019. The federal regulations are 42 CFR 441.301(c)(4)-(5). The CT Department of Developmental Services (DDS) has created a **draft** Transition Plan to assess compliance with the HCBS settings rule and identify strategies and timelines for developing a plan for compliance with the new rule. CMS posted additional guidance to help states assess compliance and remediate areas that are not fully in compliance.

More information on the rules can be found on the CMS website at www.medicaid.gov/hcbs.
The Arc <http://www.thearc.org/document.doc?id=4596>

The **draft** Transition Plan is open for public comment. The public comment period will be open for 30 days to allow all HCBS participants and providers an opportunity to provide input to the Transition Plan.

DDS has reviewed the settings in which Employment and Day Supports Waiver participants receive their HCB services. All participants of this waiver reside in their family home or their own home. The participants of this waiver receive employment or day supports in non-residential settings.

Notice has been published in the CT Law Journal on 7/15/2014 regarding the Transition Plan.

A second notice was published on the DDS website along with the state Transition Plan.

This waiver provides participants with services in their family home or rented home. The home is owned or rented by the family member. This is fully compliant with the new regulatory requirements.

In preparation for the Transition Plan Department of Developmental Services reviewed the current waiver services and identified two services that required further review to assure compliance with the new HCBS requirements. The services requiring review are Group Supported Employment and Group Day Support Options. Currently no waiver participants served by this waiver reside in these settings.

Group Supported Employment

Fits statutory service type of Supported Employment:

Group Supported Employment consists of ongoing supports that enable participants in a structured work environment focused towards work. Participants for whom competitive employment at or above the minimum wage is unlikely but are on the path to competitive employment with some ongoing supports and need supports to perform in a regular work setting. Group Supported employment may include assisting the participant with assessments, career planning, locate a job or develop a job on behalf of the participant. Group Supported employment is conducted in a variety of settings, particularly work sites where persons without disabilities are employed. Group Supported Employment includes activities needed to obtain and

sustain paid work by participants, including career planning, assistive technology, job development, supervision and training. When group supported employment services are provided at a work site where persons without disabilities are employed, payment is made only for adaptations, supervision and training required by participants receiving waiver services as a result of their disabilities but does not include payment for supervisory activities rendered as a normal part of the business setting. However, Medicaid funds may not be used to defray the expenses associated with starting up or operating a business.

FFP will not be claimed for incentive payments, subsidies, or unrelated vocational training expenses such as the following:

1. Incentive payments made to an employer to encourage or subsidize the employer's participation in a supported employment program;
 2. Payments that are passed through to users of supported employment programs;
 3. Payments for vocational training that is not directly related to a participant's supported employment.
- Group Supported employment services furnished under the waiver are not available under a program funded by either program funded by either the Rehabilitation Act of 1973 or P.L. 94-142.

Defined as 8 or less

Group Day Support Options

Services and supports leading to the acquisition, improvement and/or retention of skills and abilities to prepare an individual for work and/or community participation, or support meaningful socialization, leisure and retirement activities. This service is provided by a qualified vendor in a facility-based program or appropriate community locations. Transportation to and from home is included as part of this waiver service. The agency rate is adjusted for transportation costs based on mileage and type of vehicle required.

Comments and input on the transition plan can be submitted during the 30 day comment period the following ways:

By email: Siobhan.Morgan@ct.gov

By mail: Siobhan C. Morgan

Department of Developmental Services

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By Fax: 1-860-622-2769