



TRANSITION PLAN FOR CT DDS INDIVIDUAL AND FAMILY 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 Individual And Family Supports Waiver participants receive their HCB services and supports. The majority of the 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, rented home or a licensed provider home.

In preparation for the Transition Plan Department of Developmental Services reviewed the current waiver services and identified two residential based services that required further review to assure compliance with the new HCBS requirements and three employment or day support services that require further review to assure compliance with the new HCBS requirements. The services requiring review are Continuous Residential Supports, Community Companion Homes, Prevocational Supports, Group Supported Employment and Group Day Support Options.

Continuous Residential Supports

This service provides assistance with the acquisition, improvement and/or retention of skills and provides necessary support to achieve personal habilitation outcomes that enhance an individual's ability to live in their community as specified in the plan of care. This service includes a combination of habilitation and personal support activities as they would naturally occur during the course of a day.

Continuous residential supports must take place in a setting other than a family home and have the following:

- Three or fewer participants living together in the same apartment, condominium or single family dwelling
- Readily available third shift staff awake or asleep. Readily available means in the same setting or adjoining setting such as a two or three family, duplex, side by side condos.
- Supports available throughout non-work hours though some time alone as approved by the team would be allowed.
- Some individuals could require intermittent staff support but live in the same apartment or single family dwelling where continuous supports are provided to other people living there.
- This service is not available for use in licensed settings.

Individuals who wish to self-direct their services may do so by utilizing an Agency with Choice. (See Appendix E-2 a i. For more information)

Payments for Continuous Residential Support do not include room and board.

Community Companion Home

Assist with the acquisition, improvement and /or retention of skills and provide necessary support to achieve personal outcomes that increase an individual's independence and an individual's ability to live in their community as specified in their Individual Plan. This service is specifically designed to result in learned outcomes, but can also include elements of personal support that occur naturally during the course of the day. Examples of the type of support that may occur in these settings include:

- Provision of instruction and training in one or more need areas to enhance the individual's ability to access and use the community;
- Implement strategies to address behavioral, medical or other needs identified in the Individual Plan;
- Implement all therapeutic recommendations including Speech, O.T., P.T., and assist in following special diets and other therapeutic routines; and
- Training or practice in basic consumer skills such as shopping, banking, personal care or other ADL skills.

Provision of these services is limited to licensed CCH settings. The home is owned, leased or rented by the licensed CCH provider. The total number of individuals (including participants served in the waiver) living in the home, who are unrelated to the principal care provider, cannot exceed three. Services are provided 24 hours a day 7 days per week. Payments for residential habilitation in this setting does not include room and board, the cost of facility maintenance, upkeep or improvement. In some other states this service is known as Adult Foster Care.

Prevocational

Services that provide learning and work experiences, training to assist the individual prepare for employment. Services include teaching such concepts as compliance, attendance, task completion, problem solving and safety that contribute to the employability in paid and integrated employment. May includes teaching, training, supporting work activities, career assessment and career planning. Services are not job-task oriented, but instead, aimed at a generalized result. Services are reflected in the participants individual plan with outcomes and timelines towards intergrated community employment. An annual community based assessment will be completed for each individual and reviewed by DDS Personnel.

Meals provided as part of these services shall not constitute a "full nutritional regimen" (3 meals per day).

Documentation is maintained in the file of each individual receiving this service that the service is not available under a program funded under section 110 of the Rehabilitation Act of 1973 or the IDEA (20 U.S.C. 1401 et seq.).

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.

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

460 Capitol Ave

Hartford CT 06106

By Fax: 1-860-622-2769