

*Long Term Care Reform
Workgroup*

December 8, 2011

Agenda

Balancing Incentive Payments Program

- CMS Technical Assistance Updates
- Core Standardized Assessment

Community First Choice

- CMS Technical Assistance Updates
- Implementation Council

Draft Legislative Report

Next Steps

BIPP Updates

- Submitted questions to CMS
- Received written feedback and participated in a conference call with CMS technical assistance contractors Human Services Research Institute (HSRI) and Mission Analytics

BIPP Updates - Financial

- Received CMS assurance that Maryland is eligible to apply for a 2% enhanced match based on the Federal Fiscal Year (FFY) 2009 LTSS spending percentages included in BIPP Application
 - Maryland's calculated percentage in the BIPP Application was 36.8%
 - Services included in this percentage are waiver programs (including DD waivers), home health and personal care expenditures.

BIPP Updates - Financial

- New FFY 2010 LTSS spending numbers were released in November that reflect Maryland at 52% of all LTSS spending in the community
- Difference between FFY09 and FFY10 data is the inclusion of Private Duty Nursing and Non-School Based Rehabilitation Services
- States can negotiate with CMS regarding which services to include in the calculation of LTSS spending in the community.

BIPP Updates – Financial

- All services included in the BIPP percentages
 - Are eligible to receive the 2% enhanced match
 - Must comply with BIPP provisions
 - Conflict-free case management
 - Standardized assessment instrument
- We are currently working with our Office of Finance to evaluate eligible services
- Will continue to seek technical assistance and guidance from CMS on the calculations

BIPP Updates - Financial

- 2% enhanced match
 - Effective beginning on the first day of the next full quarter after the application is approved
 - Can fund State staffing and administrative costs for the purposes of providing new or expanded offerings of HCBS

BIPP Updates - Other

- Limited funding is available for the duration of BIPP through a competitive application process.
 - Maryland intends to apply early before \$3 billion investment is obligated to other states
- The Department will complete and submit an application with the expectation to begin receiving an enhanced match on HCBS services beginning April 1, 2012.
- Beginning discussions with partners regarding application submission (MDoA, DDA, MHA, DHR, MDOD)
- Stakeholder feedback on application and parameters of structural changes will be gathered through expanded Rebalancing: MFP/BIPP meetings

Rebalancing: MFP/BIPP Meeting

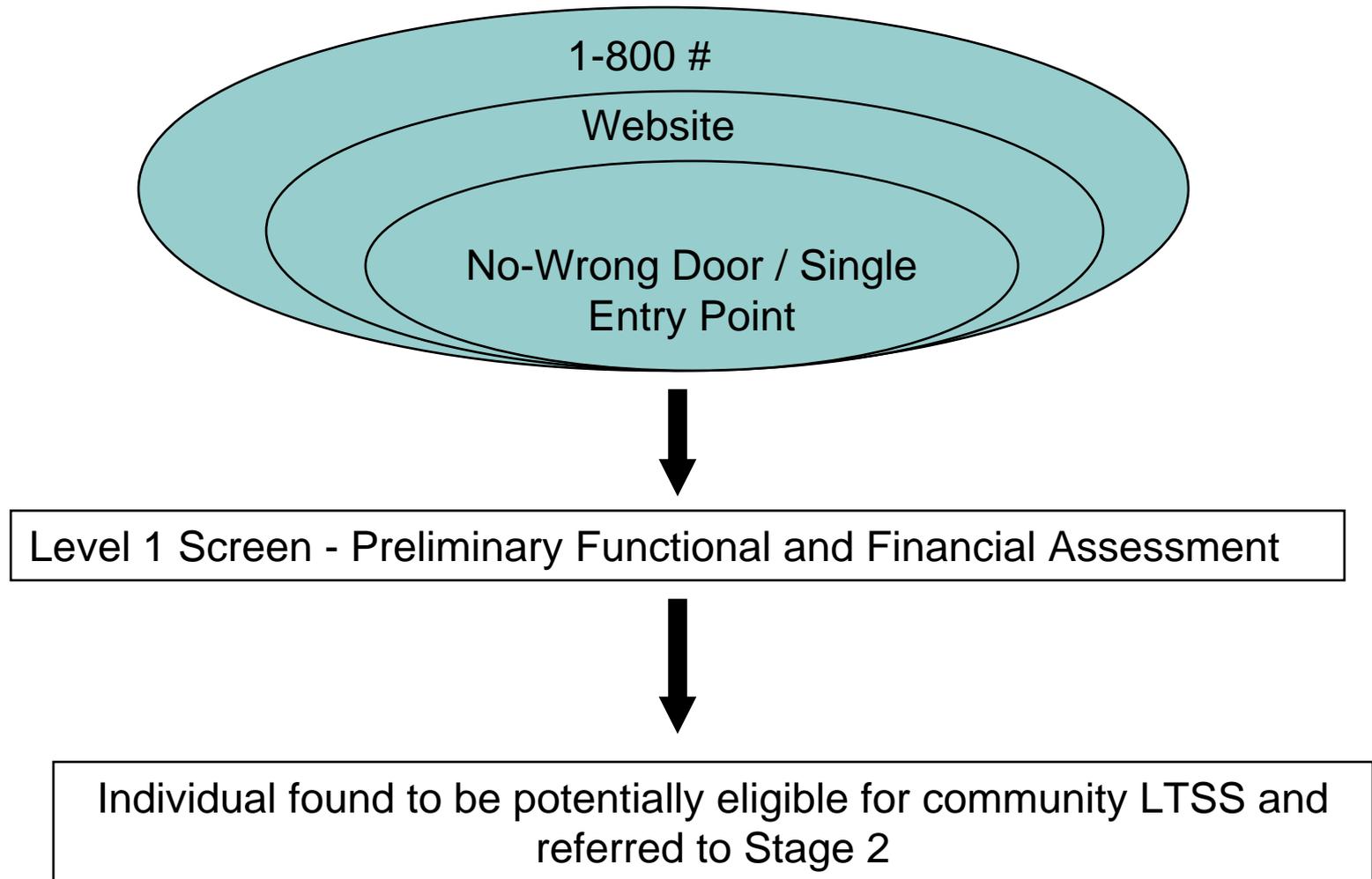
January 10th Agenda

- Noon – 1 p.m. MFP Topics
 - Operational Protocol Submission
 - Options Counseling and Peer Support Changes
- 1 p.m. – 3 p.m. MFP/BIPP Shared Topics
 - Single Entry Point (Maryland Access Point)
 - Core Standardized Assessment
 - Conflict-Free Case Management
 - Updates on CFC

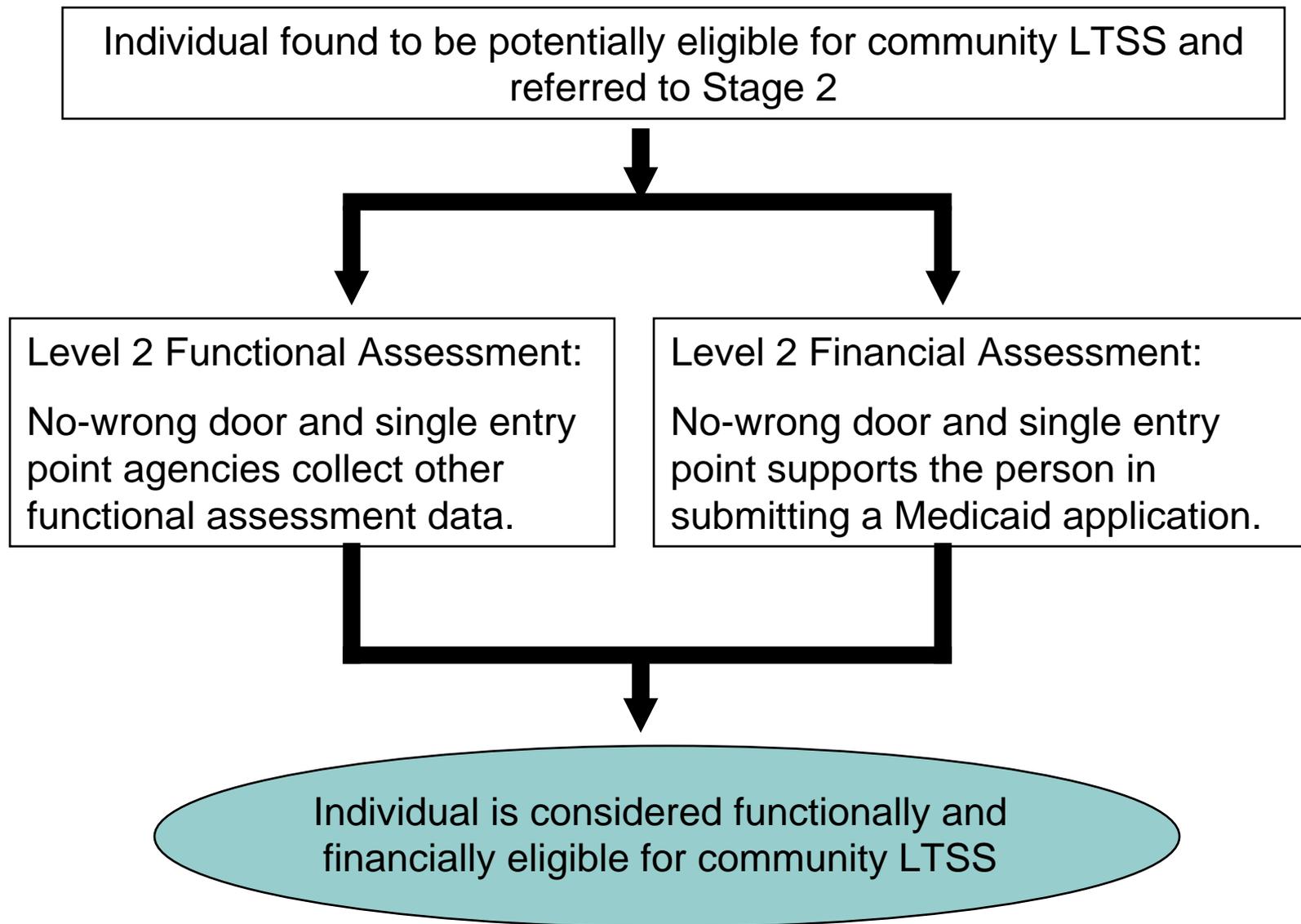
BIPP Assessment Requirements

- Assessment data
 - is captured Statewide for all populations seeking community LTSS.
 - includes a Level I screen/Level II assessment process across populations.
 - Level I screen is available for completion in person or over the phone.
 - Level II assessment is completed in person, with the assistance of a qualified professional.
 - is used to determine eligibility, identify support needs, and inform service planning.

Stage 1 – Initial Entry Point / Level 1 Screen



Stage 2: Streamlined Eligibility and Enrollment Process



BIPP Assessment Requirements

- Required domains
 - Activities of Daily Living (ADLs)
 - Instrumental Activities of Daily Living (IADLs)
 - Cognitive function and memory/learning difficulties
 - Medical conditions
 - Behavior difficulties

Figure 4-4: Core Dataset: Required Domains and Topics for a CSA

Background Information

1. Activities of Daily Living

Eating	Mobility (in/out of home)
Bathing	Positioning
Dressing	Transferring
Hygiene	Communicating
Toileting	

2. Instrumental Activities of Daily Living *(not required for children)*

Preparing Meals	Housework
Shopping	Managing Money
Transportation	Telephone Use
Managing Medications	Employment

3. Medical Conditions/Diagnoses

4. Cognitive Function and Memory/Learning

Cognitive Function
Judgment/Decision-Making
Memory/Learning

5. Behavior Concerns

Injurious	Uncooperative
Destructive	Other Serious
Socially Offensive	

Financial Information

BIPP Assessment Recommendations

- Test assessment tools for validity and reliability
- Automate the assessment process
- Evaluate the quality and utility of data collected
- Ensure the assessment
 - Determines eligibility
 - Summarizes an individual's strengths and support needs.
 - Utilizes a strengths or support-based approach
 - Balances the need for data with ease of use
 - Is culturally competent
 - Considers family/caregiver needs
- Involve stakeholders in the design

BIPP Updates - Assessment

- CMS evaluated 23 instruments as detailed in the BIPP Manual
- Eight of those instruments covered the majority of the required BIPP domains
 - Several of the eight comprehensive assessments were based on the Minimum Data Set for Home Care (MDS-HC) but customized for individual states
- Three assessments were identified as most closely matching the BIPP standards for use across populations
 - Minimum Data Set for Home Care (MDS-HC)
 - Minnesota MnCHOICES
 - Supports Intensity Scale (SIS)

BIPP Updates - Assessment

- These three assessments will be reviewed against the BIPP recommended standards
 - Validity and reliability
 - Ability to automate the assessment process
 - Ability to incorporate the Level I and II screens
 - Quality and utility of data collected
- The optimal assessment will require the least customization and will be the most acceptable to CMS.
- Findings will be presented and discussed in more depth at the upcoming stakeholder meetings on December 12th and 15th

Community First Choice

- The Department submitted questions to CMS in early November.
- Technical Assistance provided on November 21, 2011.
- CMS made aware of Maryland's intent for the program and clarified details.
- Final regulations are in clearance at CMS but is not available for publication at this time.
 - No updates are available regarding level of care requirements for participation

Clarifications

- Eligibility
 - CMS confirmed that CFC does not create a new eligibility category.
 - CFC participants must meet current eligibility levels.
 - Waiver participants are eligible to receive CFC State Plan services.
- Self-Direction
 - CMS recommended Maryland review states currently implementing 1915(j) State Plan services regarding self-direction.
 - Under self-direction, there are no federal restrictions on family providers prescribed in current guidance.
 - States may restrict providers of self-directed services.
 - Maryland regulations in State Plan MAPC currently exclude spouses, parents of dependent children, and other legally responsible adults from allowable providers

Services

- Only the services listed in the proposed regulation are allowable under CFC.
- Certain administrative functions are also eligible for the increased match, such as nurse monitoring, case management, and fiscal intermediary services.
- “Services that increase or substitute for human assistance” can include goods and services as noted in State Medicaid Director’s letter on November 19, 2009.
 - Goods and services must relate to identified goals and needs within the person’s plan of care.
 - For example, small kitchen appliances (such as microwave ovens) and home modifications (such as accessibility ramps).

Implementation Council

- Council Nominations are now closed. We received nominations for
 - Medicaid Participants
 - Paid Providers
 - Advocates
 - State and County Staff
- Consumers or their representatives must make up a majority of the implementation council.
- We are currently reviewing applications and will conduct brief phone interviews with certain applicants.
- Council membership will be announced by January 1st.
- Additional stakeholders will be able to provide feedback by participating in meetings during public comment sessions.

Draft Legislative Report

- Comments and discussion

Next Steps

- Public Stakeholder Meetings on the Core Standardized Assessment
 - December 12 or 15, 2011 at DHMH, Room L3 from 1 p.m. to 4 p.m.
 - The same content and agenda will be covered in each meeting
 - See flyer for call-in and web conference options.
- Rebalancing: MFP and BIPP Joint Meeting
 - January 10, 2012 at DHMH, Room L3 from noon to 3 p.m.
- The first Community First Choice Implementation Council meeting will be held in January after members are contacted for their availability.