

Application for a §1915(c) Home and Community-Based Services Waiver

PURPOSE OF THE HCBS WAIVER PROGRAM

The Medicaid Home and Community-Based Services (HCBS) waiver program is authorized in §1915(c) of the Social Security Act. The program permits a state to furnish an array of home and community-based services that assist Medicaid beneficiaries to live in the community and avoid institutionalization. The State has broad discretion to design its waiver program to address the needs of the waivers target population. Waiver services complement and/or supplement the services that are available to participants through the Medicaid State plan and other federal, state and local public programs as well as the supports that families and communities provide.

The Centers for Medicare & Medicaid Services (CMS) recognizes that the design and operational features of a waiver program will vary depending on the specific needs of the target population, the resources available to the state, service delivery system structure, state goals and objectives, and other factors. A State has the latitude to design a waiver program that is cost-effective and employs a variety of service delivery approaches, including participant direction of services.

Request for an Amendment to a §1915(c) Home and Community-Based Services Waiver

1. Request Information

A. The **State of Washington** requests approval for an amendment to the following Medicaid home and community-based services waiver approved under authority of §1915(c) of the Social Security Act.

B. **Program Title:**

Community Protection Waiver

C. **Waiver Number:** WA.0411

Original Base Waiver Number: WA.0411.

D. **Amendment Number:** WA.0411.R04.03

E. **Proposed Effective Date:** (mm/dd/yy)

07/01/23

Approved Effective Date: 07/01/23

Approved Effective Date of Waiver being Amended: 09/01/22

2. Purpose(s) of Amendment

Purpose(s) of the Amendment. Describe the purpose(s) of the amendment:

- Add persons exiting Washington Department of Children, Youth and Families extended foster care or aging out of dependency as an additional priority group for waiver enrollment
- Add the ability to for trained DDA Case/Resource Managers, Social Service Specialists and Joint Requirement Plan staff to perform CARE Level of Care assessments virtually and obtain electronic signatures on Person-Centered Service Plans

3. Nature of the Amendment

A. **Component(s) of the Approved Waiver Affected by the Amendment.** This amendment affects the following component(s) of the approved waiver. Revisions to the affected subsection(s) of these component(s) are being submitted concurrently (*check each that applies*):

| Component of the Approved Waiver | Subsection(s) |
|--|------------------|
| <input checked="" type="checkbox"/> Waiver Application | 1,2,3, Main-6, B |
| <input type="checkbox"/> Appendix A | |

| Component of the Approved Waiver | Subsection(s) |
|---|---------------|
| Waiver Administration and Operation | |
| <input checked="" type="checkbox"/> Appendix B Participant Access and Eligibility | B-3-f, B-6-f |
| <input type="checkbox"/> Appendix C Participant Services | |
| <input checked="" type="checkbox"/> Appendix D Participant Centered Service Planning and Delivery | D-2-a |
| <input type="checkbox"/> Appendix E Participant Direction of Services | |
| <input type="checkbox"/> Appendix F Participant Rights | |
| <input type="checkbox"/> Appendix G Participant Safeguards | |
| <input type="checkbox"/> Appendix H | |
| <input type="checkbox"/> Appendix I Financial Accountability | |
| <input type="checkbox"/> Appendix J Cost-Neutrality Demonstration | |

B. Nature of the Amendment. Indicate the nature of the changes to the waiver that are proposed in the amendment (*check each that applies*):

- ☒ **Modify target group(s)**
☐ **Modify Medicaid eligibility**
☐ **Add/delete services**
☐ **Revise service specifications**
☐ **Revise provider qualifications**
☐ **Increase/decrease number of participants**
☐ **Revise cost neutrality demonstration**
☐ **Add participant-direction of services**
☐ **Other**
 Specify:

1. Request Information (1 of 3)

A. The State of Washington requests approval for a Medicaid home and community-based services (HCBS) waiver under the authority of §1915(c) of the Social Security Act (the Act).

B. Program Title (*optional - this title will be used to locate this waiver in the finder*):

Community Protection Waiver

C. Type of Request: amendment

Requested Approval Period: (*For new waivers requesting five year approval periods, the waiver must serve individuals who are dually eligible for Medicaid and Medicare.*)

☐ 3 years ☒ 5 years

Original Base Waiver Number: WA.0411

Waiver Number: WA.0411.R04.03

Draft ID: WA.007.04.04

D. Type of Waiver (*select only one*):

Regular Waiver

E. Proposed Effective Date of Waiver being Amended: 09/01/22

Approved Effective Date of Waiver being Amended: 09/01/22

PRA Disclosure Statement

The purpose of this application is for states to request a Medicaid Section 1915(c) home and community-based services (HCBS) waiver. Section 1915(c) of the Social Security Act authorizes the Secretary of Health and Human Services to waive certain specific Medicaid statutory requirements so that a state may voluntarily offer HCBS to state-specified target group(s) of Medicaid beneficiaries who need a level of institutional care that is provided under the Medicaid state plan. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-0449 (Expires: December 31, 2023). The time required to complete this information collection is estimated to average 160 hours per response for a new waiver application and 75 hours per response for a renewal application, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

1. Request Information (2 of 3)

F. Level(s) of Care. This waiver is requested in order to provide home and community-based waiver services to individuals who, but for the provision of such services, would require the following level(s) of care, the costs of which would be reimbursed under the approved Medicaid state plan (*check each that applies*):

☐ **Hospital**

Select applicable level of care

☐ **Hospital as defined in 42 CFR §440.10**

If applicable, specify whether the state additionally limits the waiver to subcategories of the hospital level of care:

- ☐ **Inpatient psychiatric facility for individuals age 21 and under as provided in 42 CFR §440.160**
- ☐ **Nursing Facility**
Select applicable level of care
- ☐ **Nursing Facility as defined in 42 CFR ??440.40 and 42 CFR ??440.155**
If applicable, specify whether the state additionally limits the waiver to subcategories of the nursing facility level of care:
-
- ☐ **Institution for Mental Disease for persons with mental illnesses aged 65 and older as provided in 42 CFR §440.140**
- ☒ **Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) (as defined in 42 CFR §440.150)**
If applicable, specify whether the state additionally limits the waiver to subcategories of the ICF/IID level of care:
-

1. Request Information (3 of 3)

G. Concurrent Operation with Other Programs. This waiver operates concurrently with another program (or programs) approved under the following authorities

Select one:

- ☒ **Not applicable**
- ☐ **Applicable**

Check the applicable authority or authorities:

- ☐ **Services furnished under the provisions of §1915(a)(1)(a) of the Act and described in Appendix I**
- ☐ **Waiver(s) authorized under §1915(b) of the Act.**

Specify the §1915(b) waiver program and indicate whether a §1915(b) waiver application has been submitted or previously approved:

Specify the §1915(b) authorities under which this program operates (check each that applies):

- ☐ **§1915(b)(1) (mandated enrollment to managed care)**
- ☐ **§1915(b)(2) (central broker)**
- ☐ **§1915(b)(3) (employ cost savings to furnish additional services)**
- ☐ **§1915(b)(4) (selective contracting/limit number of providers)**

- ☐ **A program operated under §1932(a) of the Act.**

Specify the nature of the state plan benefit and indicate whether the state plan amendment has been submitted or previously approved:

- ☐ **A program authorized under §1915(i) of the Act.**
- ☐ **A program authorized under §1915(j) of the Act.**
- ☐ **A program authorized under §1115 of the Act.**

Specify the program:

H. Dual Eligibility for Medicaid and Medicare.

Check if applicable:

☒ **This waiver provides services for individuals who are eligible for both Medicare and Medicaid.****2. Brief Waiver Description**

Brief Waiver Description. *In one page or less*, briefly describe the purpose of the waiver, including its goals, objectives, organizational structure (e.g., the roles of state, local and other entities), and service delivery methods.

The purpose of the Community Protection Waiver is to provide an alternative to ICF/IID placement for clients who:

- o Are at least 18 years of age, and
- o Meet the criteria for ICF/IID level of care, and
- o Live in or are moving into the community, and
- o Require 24-hour, on-site, awake staff supervision to ensure their safety,
- o Require therapies and other habilitation, and
- o Are identified by DDA to meet the criteria for an “individual with Community Protection issues”.

These criteria are one or more of the following:

- (1) The person has been charged with or convicted of a crime of sexual violence as defined in Chapters 9A.44 or 71.09 RCW;
- (2) The person has been charged with or convicted of a crime involving sexual acts directed toward strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization, or persons of casual acquaintance with whom no substantial personal relationship exists;
- (3) The person has been charged with or convicted of one or more violent crimes as defined in RCW 9.94A.030(45);
- (4) The person has not been charged with or convicted of a crime identified in (1), (2) or (3) above, but the person has a history of violent, stalking, sexually violent, predatory, and/or opportunistic behavior, which a qualified professional has determined demonstrates a likelihood to commit a violent, sexually violent and/or predatory act; and
- (5) The person constitutes a current risk to others as determined by a qualified professional.
- (6) Charges or crimes that result in acquittal are excluded.

The goal of the Community Protection Waiver is to provide services to clients to assist them with gaining the safety skills necessary to be successful and engaged members of their community and to reach the goals identified in their person-centered service plan. The waiver provides a structured, habilitative environment for persons with Community Protection issues in order for them to live safely and successfully in the community while minimizing the risk to public safety. This is accomplished by coordination of natural supports, community resources/services, Medicaid state plan services, and services available via the waiver. The Developmental Disabilities Administration supports clients who receive Community Protection Waiver services to experience these benefits:

- Health and Safety
- Personal Power and Choice
- Personal Value and Positive Recognition By Self and Others
- A Range of Experiences Which Help People Participate in the Physical and Social Life of Their Communities
- Good Relationships with Friends and Relatives
- Competence to Manage Daily Activities and Pursue Personal Goals

The objective of the Community Protection Waiver is to develop and implement supports and services to successfully support individuals in their homes and communities.

With regard to the organizational structure, the State of Washington’s HCBS Community Protection Waiver is managed by the Developmental Disabilities Administration (DDA), within the Department of Social and Health Services (DSHS). The Health Care Authority (HCA) is the State’s Medicaid Agency (SMA), and the Administration operates the Community Protection Waiver under a written agreement between DSHS and HCA. The State monitors against waiver requirements for all services delivered. The principles of Continuous Quality Improvement are used to enhance the Community Protection Waiver services delivery systems.

Washington contracts with its counties for the implementation of Day Program/Supported Employment/Individualized Technical Assistance services. All other aspects of the Waiver are directly managed by the state. DDA operates this waiver within applicable federal regulations, manages the day-to-day administration and maintains operational responsibility for the waiver.

3. Components of the Waiver Request

The waiver application consists of the following components. *Note: Item 3-E must be completed.*

- A. Waiver Administration and Operation.** Appendix A specifies the administrative and operational structure of this waiver.
- B. Participant Access and Eligibility.** Appendix B specifies the target group(s) of individuals who are served in this waiver, the number of participants that the state expects to serve during each year that the waiver is in effect, applicable Medicaid eligibility and post-eligibility (if applicable) requirements, and procedures for the evaluation and reevaluation of level of care.
- C. Participant Services.** Appendix C specifies the home and community-based waiver services that are furnished through the waiver, including applicable limitations on such services.
- D. Participant-Centered Service Planning and Delivery.** Appendix D specifies the procedures and methods that the state uses to develop, implement and monitor the participant-centered service plan (of care).
- E. Participant-Direction of Services.** When the state provides for participant direction of services, Appendix E specifies the participant direction opportunities that are offered in the waiver and the supports that are available to participants who direct their services. (*Select one*):
- ☐ **Yes. This waiver provides participant direction opportunities.** Appendix E is required.

☒ **No. This waiver does not provide participant direction opportunities.** Appendix E is not required.
- F. Participant Rights.** Appendix F specifies how the state informs participants of their Medicaid Fair Hearing rights and other procedures to address participant grievances and complaints.
- G. Participant Safeguards.** Appendix G describes the safeguards that the state has established to assure the health and welfare of waiver participants in specified areas.
- H. Quality Improvement Strategy.** Appendix H contains the Quality Improvement Strategy for this waiver.
- I. Financial Accountability.** Appendix I describes the methods by which the state makes payments for waiver services, ensures the integrity of these payments, and complies with applicable federal requirements concerning payments and federal financial participation.
- J. Cost-Neutrality Demonstration.** Appendix J contains the state's demonstration that the waiver is cost-neutral.

4. Waiver(s) Requested

- A. Comparability.** The state requests a waiver of the requirements contained in §1902(a)(10)(B) of the Act in order to provide the services specified in Appendix C that are not otherwise available under the approved Medicaid state plan to individuals who: (a) require the level(s) of care specified in Item 1.F and (b) meet the target group criteria specified in Appendix B.
- B. Income and Resources for the Medically Needy.** Indicate whether the state requests a waiver of §1902(a)(10)(C)(i)(III) of the Act in order to use institutional income and resource rules for the medically needy (*select one*):
- ☒ **Not Applicable**
- ☐ **No**
- ☐ **Yes**
- C. Statewide.** Indicate whether the state requests a waiver of the statewide requirements in §1902(a)(1) of the Act (*select one*):
- ☒ **No**
- ☐ **Yes**
- If yes, specify the waiver of statewide requirements that is requested (*check each that applies*):
- ☐ **Geographic Limitation.** A waiver of statewide requirements is requested in order to furnish services under this waiver only to individuals who reside in the following geographic areas or political subdivisions of the state.

Specify the areas to which this waiver applies and, as applicable, the phase-in schedule of the waiver by geographic area:

- ☐ **Limited Implementation of Participant-Direction.** A waiver of statewideness is requested in order to make *participant-direction of services* as specified in **Appendix E** available only to individuals who reside in the following geographic areas or political subdivisions of the state. Participants who reside in these areas may elect to direct their services as provided by the state or receive comparable services through the service delivery methods that are in effect elsewhere in the state.

Specify the areas of the state affected by this waiver and, as applicable, the phase-in schedule of the waiver by geographic area:

5. Assurances

In accordance with 42 CFR §441.302, the state provides the following assurances to CMS:

- A. Health & Welfare:** The state assures that necessary safeguards have been taken to protect the health and welfare of persons receiving services under this waiver. These safeguards include:
1. As specified in **Appendix C**, adequate standards for all types of providers that provide services under this waiver;
 2. Assurance that the standards of any state licensure or certification requirements specified in **Appendix C** are met for services or for individuals furnishing services that are provided under the waiver. The state assures that these requirements are met on the date that the services are furnished; and,
 3. Assurance that all facilities subject to §1616(e) of the Act where home and community-based waiver services are provided comply with the applicable state standards for board and care facilities as specified in **Appendix C**.
- B. Financial Accountability.** The state assures financial accountability for funds expended for home and community-based services and maintains and makes available to the Department of Health and Human Services (including the Office of the Inspector General), the Comptroller General, or other designees, appropriate financial records documenting the cost of services provided under the waiver. Methods of financial accountability are specified in **Appendix I**.
- C. Evaluation of Need:** The state assures that it provides for an initial evaluation (and periodic reevaluations, at least annually) of the need for a level of care specified for this waiver, when there is a reasonable indication that an individual might need such services in the near future (one month or less) but for the receipt of home and community-based services under this waiver. The procedures for evaluation and reevaluation of level of care are specified in **Appendix B**.
- D. Choice of Alternatives:** The state assures that when an individual is determined to be likely to require the level of care specified for this waiver and is in a target group specified in **Appendix B**, the individual (or, legal representative, if applicable) is:
1. Informed of any feasible alternatives under the waiver; and,
 2. Given the choice of either institutional or home and community-based waiver services. **Appendix B** specifies the procedures that the state employs to ensure that individuals are informed of feasible alternatives under the waiver and given the choice of institutional or home and community-based waiver services.
- E. Average Per Capita Expenditures:** The state assures that, for any year that the waiver is in effect, the average per capita expenditures under the waiver will not exceed 100 percent of the average per capita expenditures that would have been made under the Medicaid state plan for the level(s) of care specified for this waiver had the waiver not been granted. Cost-neutrality is demonstrated in **Appendix J**.
- F. Actual Total Expenditures:** The state assures that the actual total expenditures for home and community-based waiver

and other Medicaid services and its claim for FFP in expenditures for the services provided to individuals under the waiver will not, in any year of the waiver period, exceed 100 percent of the amount that would be incurred in the absence of the waiver by the state's Medicaid program for these individuals in the institutional setting(s) specified for this waiver.

G. Institutionalization Absent Waiver: The state assures that, absent the waiver, individuals served in the waiver would receive the appropriate type of Medicaid-funded institutional care for the level of care specified for this waiver.

H. Reporting: The state assures that annually it will provide CMS with information concerning the impact of the waiver on the type, amount and cost of services provided under the Medicaid state plan and on the health and welfare of waiver participants. This information will be consistent with a data collection plan designed by CMS.

I. Habilitation Services. The state assures that prevocational, educational, or supported employment services, or a combination of these services, if provided as habilitation services under the waiver are: (1) not otherwise available to the individual through a local educational agency under the Individuals with Disabilities Education Act (IDEA) or the Rehabilitation Act of 1973; and, (2) furnished as part of expanded habilitation services.

J. Services for Individuals with Chronic Mental Illness. The state assures that federal financial participation (FFP) will not be claimed in expenditures for waiver services including, but not limited to, day treatment or partial hospitalization, psychosocial rehabilitation services, and clinic services provided as home and community-based services to individuals with chronic mental illnesses if these individuals, in the absence of a waiver, would be placed in an IMD and are: (1) age 22 to 64; (2) age 65 and older and the state has not included the optional Medicaid benefit cited in 42 CFR §440.140; or (3) age 21 and under and the state has not included the optional Medicaid benefit cited in 42 CFR § 440.160.

6. Additional Requirements

Note: Item 6-I must be completed.

A. Service Plan. In accordance with 42 CFR §441.301(b)(1)(i), a participant-centered service plan (of care) is developed for each participant employing the procedures specified in **Appendix D**. All waiver services are furnished pursuant to the service plan. The service plan describes: (a) the waiver services that are furnished to the participant, their projected frequency and the type of provider that furnishes each service and (b) the other services (regardless of funding source, including state plan services) and informal supports that complement waiver services in meeting the needs of the participant. The service plan is subject to the approval of the Medicaid agency. Federal financial participation (FFP) is not claimed for waiver services furnished prior to the development of the service plan or for services that are not included in the service plan.

B. Inpatients. In accordance with 42 CFR §441.301(b)(1)(ii), waiver services are not furnished to individuals who are inpatients of a hospital, nursing facility or ICF/IID.

C. Room and Board. In accordance with 42 CFR §441.310(a)(2), FFP is not claimed for the cost of room and board except when: (a) provided as part of respite services in a facility approved by the state that is not a private residence or (b) claimed as a portion of the rent and food that may be reasonably attributed to an unrelated caregiver who resides in the same household as the participant, as provided in **Appendix I**.

D. Access to Services. The state does not limit or restrict participant access to waiver services except as provided in **Appendix C**.

E. Free Choice of Provider. In accordance with 42 CFR §431.151, a participant may select any willing and qualified provider to furnish waiver services included in the service plan unless the state has received approval to limit the number of providers under the provisions of §1915(b) or another provision of the Act.

F. FFP Limitation. In accordance with 42 CFR §433 Subpart D, FFP is not claimed for services when another third-party (e.g., another third party health insurer or other federal or state program) is legally liable and responsible for the provision and payment of the service. FFP also may not be claimed for services that are available without charge, or as free care to the community. Services will not be considered to be without charge, or free care, when (1) the provider establishes a fee schedule for each service available and (2) collects insurance information from all those served (Medicaid, and non-Medicaid), and bills other legally liable third party insurers. Alternatively, if a provider certifies that a particular legally liable third party insurer does not pay for the service(s), the provider may not generate further bills for that insurer for that annual period.

G. Fair Hearing: The state provides the opportunity to request a Fair Hearing under 42 CFR §431 Subpart E, to individuals: (a) who are not given the choice of home and community-based waiver services as an alternative to institutional level of care specified for this waiver; (b) who are denied the service(s) of their choice or the provider(s) of their choice; or (c) whose services are denied, suspended, reduced or terminated. **Appendix F** specifies the state's procedures to provide individuals the opportunity to request a Fair Hearing, including providing notice of action as required in 42 CFR §431.210.

H. Quality Improvement. The state operates a formal, comprehensive system to ensure that the waiver meets the assurances and other requirements contained in this application. Through an ongoing process of discovery, remediation and improvement, the state assures the health and welfare of participants by monitoring: (a) level of care determinations; (b) individual plans and services delivery; (c) provider qualifications; (d) participant health and welfare; (e) financial oversight and (f) administrative oversight of the waiver. The state further assures that all problems identified through its discovery processes are addressed in an appropriate and timely manner, consistent with the severity and nature of the problem. During the period that the waiver is in effect, the state will implement the Quality Improvement Strategy specified in **Appendix H**.

I. Public Input. Describe how the state secures public input into the development of the waiver:

Waiver Amendment:

DDA designed the public stakeholder process to be very inclusive of stakeholder participation at every stage of waiver amendment development. DDA utilized electronic channels to inform stakeholders and solicit input on the draft waiver amendment. The State secured public input by working closely with the following:

- Other state agencies;
- County Coordinators for Human Services,
- The State of Washington Developmental Disabilities Council (DDC),
- The Arc of Washington (advocacy organization), The Community Advocacy Coalition made up of advocates and providers, and
- The HCBS (DDA) Quality Assurance Committee composed of self-advocates, advocates and providers.

The public process included the following:

- DDA posted public notice that the draft waiver amendment was available for public inspection online at DDA's website on February 15, 2023.
- DDA made the draft waiver amendment available to anyone who requested a copy of the amendment as a PDF document available on-line from DDA's public website on February 15th, 2023, through March 16th, 2023.
- DDA filed the public notice of the availability of the draft waiver amendment for public review in the Washington Register published on February 16th, 2023.
- DDA sent a letter on February 15th, 2023, to 26,000+ stakeholders, including participants, family members, advocacy organizations, providers and state staff, inviting their review and comments on the draft waiver amendment.
- Washington State Health Care Authority published a public notice to all Washington State Tribes on January 26th, 2023, of DDA's intent to submit a waiver amendment to the Centers for Medicare and Medicaid Services.

Summary of Public Comments received and State's responses:

1. Commentor noted that the increased cost of working with CDWA reduces the number of respite hours available to participants even with the increase IFS budgets.

State Response: State will review the feasibility of increasing Individual and Family Services budget allocations in a future waiver amendment. Individual and Family Services budgets were increased 30% prior to the transition of Individual Providers to Consumer Direct Washington to account for general rate increases across services.

2. Commentor noted the waivers provide necessary services to meet the needs of patient-centered care plans.

State Response: State agrees with commentor.

3. Commentor suggests that Specialized Clothing be added to the Basic Plus waiver as the need for specialized clothing increases as participants enter the work force.

State Response: State will review the feasibility of adding Specialized Clothing to the Basic Plus waiver in a future waiver amendment.

4. Commentor really appreciates the availability of Zoom Programs available through Bellevue's Parks & Rec, Bridge of Promise and Sarah Schmidt's Clubhouse via the Basic Plus waiver for their 58 year old son and would like to see these services expanded.

State Response: State has proposed virtual delivery of many services in this series of waiver amendments, but respite was not included.

5. Commentor would like more information on what adding an agency provider type for the Residential Habilitation/Alternative Living service means to families and participants.

State Response: State has proposed adding agency providers as an additional provider type for the service of Residential Habilitation/Alternative Living to increase the pool of available providers to waiver participants. This will have no negative impact on existing participants and the relationships they have with their existing providers.

6. Commentor proposes the removal of content in Quality Improvement Plan that states that Waiver Program Specialists review the first 3 assessments of all new staff. Commentors notes that CARE specialists review SIS scoring, SLAs are reviewed by CFC Specialists, QCCs are reviewing PCSPs for inputting waiver services and Payment Specialists are reviewing 5 new CRMs authorizations.

State Response: State will continue the Quality Improvement Plan that includes reviews by Waiver Program Specialists, but the process has been adjusted to remove duplication of efforts.

7. Commentor opposes proposed language to add persons exiting Department of Children, Youth and Families extended foster care or aging out of dependency as an additional priority group from waiver enrollment. Commentor believes this proposed language will result in children being excluded from waiver services. Commentor notes that legislation proposed in this session will direct DDA to provide waiver services to these children.

State Response: State is adding persons exiting Department of Children, Youth and Families extended foster care or aging out of dependency as an additional priority group for waiver enrollment not excluding or prohibiting their access to waiver services. The State was directed by the Legislature to add this priority group per RCW 71A.12.370.

Continued at Main B. Optional

J. Notice to Tribal Governments. The state assures that it has notified in writing all federally-recognized Tribal Governments that maintain a primary office and/or majority population within the State of the State's intent to submit a Medicaid waiver request or renewal request to CMS at least 60 days before the anticipated submission date is provided by Presidential Executive Order 13175 of November 6, 2000. Evidence of the applicable notice is available through the Medicaid Agency.

K. Limited English Proficient Persons. The state assures that it provides meaningful access to waiver services by Limited English Proficient persons in accordance with: (a) Presidential Executive Order 13166 of August 11, 2000 (65 FR 50121) and (b) Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003). **Appendix B** describes how the state assures meaningful access to waiver services by Limited English Proficient persons.

7. Contact Person(s)

A. The Medicaid agency representative with whom CMS should communicate regarding the waiver is:

Last Name:

Roberts

First Name:

Debbie

Title:

Assistant Secretary, Developmental Disabilities Administration

Agency:

Developmental Disabilities Administration, Department of Social and Health Services

Address:

P.O. Box 45310

Address 2:

City:

Olympia

State:

Washington

Zip:

98504-5310

Phone:

(360) 407-1564

Ext:

☐

TTY

Fax:

(360) 407-0954

E-mail:

Debbie.Roberts@dshs.wa.gov

B. If applicable, the state operating agency representative with whom CMS should communicate regarding the waiver is:

Last Name:

Beckman

First Name:

Bob

Title:

Waiver Requirements Program Manager

Agency:

Developmental Disabilities Administration, Department of Social and Health Services

Address:

P.O. Box 45310

Address 2:

City:

Olympia

State:

Washington

Zip:

98504-5310

Phone:

(360) 407-1500

Ext:

☐

TTY

Fax:

(360) 407-0955

E-mail:

Beckmbc@dshs.wa.gov

8. Authorizing Signature

This document, together with the attached revisions to the affected components of the waiver, constitutes the state's request to amend its approved waiver under §1915(c) of the Social Security Act. The state affirms that it will abide by all provisions of the waiver, including the provisions of this amendment when approved by CMS. The state further attests that it will continuously operate the waiver in accordance with the assurances specified in Section V and the additional requirements specified in Section VI of the approved waiver. The state certifies that additional proposed revisions to the waiver request will be submitted by the Medicaid agency in the form of additional waiver amendments.

Signature:

Tonik Joseph

State Medicaid Director or Designee

Submission Date:

Jun 12, 2023

Note: The Signature and Submission Date fields will be automatically completed when the State Medicaid Director submits the application.

Last Name:

Joseph

First Name:

Tonik

Title:

| | | | |
|------------|--|------|---|
| Agency: | Interim Assistant Secretary, Developmental Disabilities Administration, Department of Social and | | |
| Address: | Developmental Disabilities Administration, Department of Social and Health Services | | |
| Address 2: | PO Box 45310 | | |
| City: | Olympia | | |
| State: | Washington | | |
| Zip: | 98504-5310 | | |
| Phone: | (360) 407-1564 | Ext: | <input type="text"/> <input type="checkbox"/> TTY |
| Fax: | (360) 407-0954 | | |
| E-mail: | Tonik.Joseph@dshs.wa.gov | | |

Attachments**Attachment #1: Transition Plan**

Check the box next to any of the following changes from the current approved waiver. Check all boxes that apply.

- ☐ Replacing an approved waiver with this waiver.
- ☐ Combining waivers.
- ☐ Splitting one waiver into two waivers.
- ☒ Eliminating a service.
- ☐ Adding or decreasing an individual cost limit pertaining to eligibility.
- ☐ Adding or decreasing limits to a service or a set of services, as specified in Appendix C.
- ☐ Reducing the unduplicated count of participants (Factor C).
- ☐ Adding new, or decreasing, a limitation on the number of participants served at any point in time.
- ☐ Making any changes that could result in some participants losing eligibility or being transferred to another waiver under 1915(c) or another Medicaid authority.
- ☐ Making any changes that could result in reduced services to participants.

Specify the transition plan for the waiver:

The State notes that persons served in the PBSC service in the existing waiver will also be eligible to participate in the waiver after September 1, 2023.

Individuals are in the process of transitioning from waiver funded positive behavior support and consultation to either Medicaid State Plan behavioral health or autism treatment (ABA) and or other DDA waiver services such as Specialized Evaluation and Consultation. DDA case resource managers discuss support needs through the person-centered planning process to identify DDA waiver services prior to September 1st 2023. Specialized Evaluation and Consultation is introduced into the Community Protection waiver in 2022 to provide support services to individuals that cannot be found in the State Plan behavioral health services. The State will offer any waiver service or a combination of waiver services that meets the waiver participant's assessed need, in addition to Specialized Evaluation and Consultation, after September 1, 2023. The State will also refer waiver participants to any appropriate State Plan services which will meet their assessed needs.

The State will ensure that sufficient providers will be available in the state plan by the time participants in the PBSC service are transitioned to the state plan on September 1, 2023 by collaborating with the Health Care Authority and their Managed Care Organizations on provider recruitment during the September 1, 2022, to September 1, 2023, waiver year. Current waiver participants utilizing PBSC will be transitioned to the state plan at the time of the waiver participant's annual re-assessment.

The HCA is working closely with contracted MCOs and DDA partners to take a multipronged approach in supporting network access and continuity of care to facilitate smooth transitions for clients. MCOs and DDA are in close communication to ensure understanding of individual client needs and support connection to existing providers, and MCOs are assisting with referrals for additional assessments as indicated. MCOs are exploring contracting options with existing PBSC providers to ensure sufficient access for clients and provide appropriate State Plan services to their current clients. Where transition to a different provider may be necessary, MCOs are working closely with clients and families to ensure connection to providers with ability to meet their specific needs. Many clients have already successfully transitioned to receiving services through the State Plan. HCA is monitoring these processes closely and providing regular technical assistance via various methods and forums.

The steps HCA is taking with MCO's is all about making sure that sufficient state plan providers are available by the time participants in the PBSC service are transitioned to the state plan on September 1, 2022.

During entrance to a waiver, an individual is given administrative hearing rights via the DDA HCBS Waiver Brochure (DSHS #22-605). The CRM/Social Service Specialist discusses administrative hearing rights at the time of the initial and annual Person-Centered Service Plan meeting, and Planned Action Notices (PAN) are attached to the Person-Centered Service Plan when it is sent to the individual and their designee (the individual who has been designated to assist the client with understanding and exercising their administrative hearing rights) for signature. When the department makes a decision affecting eligibility, level of service or denial or termination of provider, a Planned Action Notice (PAN) must be sent within 5 working days of the decision. The notice is sent to the client and their designee. The PAN provides the effective date of the action, the reason and applicable WAC, appeal rights, and time lines for filing appeals. Individuals have up to 90 days to appeal a department decision. If an individual wishes to maintain services during the appeal process, they must ask for an administrative hearing within the ten-day notice period. If the tenth day falls on a weekend or holiday, they have until the next business day to ask for an administrative hearing. If the tenth day happens before the end of the month, they have until the end of the month to ask for an administrative hearing and still be able to get continued benefits.

Attachment #2: Home and Community-Based Settings Waiver Transition Plan

Specify the state's process to bring this waiver into compliance with federal home and community-based (HCB) settings requirements at 42 CFR 441.301(c)(4)-(5), and associated CMS guidance.

Consult with CMS for instructions before completing this item. This field describes the status of a transition process at the point in time of submission. Relevant information in the planning phase will differ from information required to describe attainment of milestones.

To the extent that the state has submitted a statewide HCB settings transition plan to CMS, the description in this field may reference that statewide plan. The narrative in this field must include enough information to demonstrate that this waiver complies with federal HCB settings requirements, including the compliance and transition requirements at 42 CFR 441.301(c)(6), and that this submission is consistent with the portions of the statewide HCB settings transition plan that are germane to this waiver. Quote or summarize germane portions of the statewide HCB settings transition plan as required.

Note that Appendix C-5 HCB Settings describes settings that do not require transition; the settings listed there meet federal HCB setting requirements as of the date of submission. Do not duplicate that information here.

Update this field and Appendix C-5 when submitting a renewal or amendment to this waiver for other purposes. It is not necessary for the state to amend the waiver solely for the purpose of updating this field and Appendix C-5. At the end of the state's HCB settings transition process for this waiver, when all waiver settings meet federal HCB setting requirements, enter "Completed" in this field, and include in Section C-5 the information on all HCB settings in the waiver.

Continued from I-1 from B - Optional

Regarding Fiscal Reviews: The State uses a 5% sample of current authorizations which represents 22,796 authorizations of a total of 455,915 authorizations (data from 2019-2020 MMIS for 5 waivers). A comparison to a representative sample with a 95% confidence level and +/- 5% margin of error for this universe of 455,915 authorizations would be a sample of 384 authorizations (according to Raosoft). Therefore the State uses a 5% sample size that is significantly larger than the minimum required for a representative sample. Fiscal reviews are conducted annually. All subcontractors with any significant problem that are not corrected as required by corrective action are elevated to a full review. Only claims that have an approved authorization can be paid. If a claim is determined to be inappropriate, the authorization is amended and an adjustment is made to the claim that causes it to reprocess, deny, and the resulting debt that is created is sent to the OFR for collection. FFP is revised to match the corrected authorization.

Regarding the Payment Review Program: The PRP is a continuous and ongoing process. The sample size of 5% of total clients served for short term or one-time services (a sample of 391 of 7,824 short term or one time services from 5 waivers - data from 2019-2020 accepted CMS 372 reports) is larger than the representative sample with a 95% confidence level and a +/- 5% margin of error of the same services total (a sample size of 367 according to Raosoft).

A sample size of 5% of total clients served for ongoing services is likely to be greater than 1,000 participants (20,000 participants x 5% = 1,000) while a representative sample with a 95% confidence level and a +/- 5% margin of error would be only 377 participants (according to Raosoft).

Additional Needed Information (Optional)

Provide additional needed information for the waiver (optional):

Continued from Main 6. Requirements - Public Comments

8. Commentor appreciates the addition of language adding youth exiting extended foster care or aging out of dependency as a priority group for waiver enrollment. Commentor also notes that the legislature is proposing legislation to remove any perceived statutory barriers to providing waiver services to dependent children and youth. Commentor recommends DDA provides waiver services through existing waivers rather than through a separate waiver which will delay the delivery of needed services.

State Response: The legislation referred to is outside of the scope of the current waiver amendment. State appreciates the support and Developmental Disabilities Administration is closely following the proposed legislation that would direct Developmental Disabilities Administration to provide waiver services to children in dependency.

9. Commentor alleges DDA services are out of compliance with Home and Community-Based Settings rule.

State Response: State believes it is following the Home and Community-Based Settings rule, documents reviews of setting issues when settings issues are raised and resolves these issues as described in the Centers for Medicare and Medicaid Services approved Statewide Transition Plan.

10. Commentor alleges the public input process lacks transparency and accessibility.

State Response: State follows the requirements for public notice and accessibility for all draft waiver amendments. State welcomes suggestions for improving this process.

11. Commentor alleges that restrictive interventions safeguards and assurances are misleading.

State Response: State disputes this allegation.

12. Commentor alleges that DDA's assessment assesses and applies subjective and harmful labels to DDA clients.

State Response: State denies this allegation. State trains Case Resource Managers and Social Service Specialists to perform Developmental Disabilities Administration assessment of waiver participants reliably and accurately and provides oversight of these staff and their assessments by qualified assessment experts, Joint Requirement Planners, supervisors, and Waiver Program Specialists.

13. Commentor alleges that DDA's quality assurance standards do not measure specific waiver performance.

State Response: State utilizes 48 detailed performance measures across all of Centers for Medicare and Medicaid Service's required assurances and sub-assurances to measure State compliance with Centers for Medicare and Medicaid Service's assurances and sub-assurances.

14. Commentor alleges that DDA's person-centered assurances are misleading and there are electronic consent concerns.

State Response: State disagrees with this characterization of person-centered assurances. State will stipulate that electronic consent shall be at the discretion of the waiver participant.

15. Commentor alleges that there is a lack of coordination among MCO's, HCA, DDA, and BHO's that creates barriers to medically necessary benefits under Early Periodic Screening Diagnosis and Treatment (EPSDT).

State Response: State works with all partners to assure ongoing coordination among Managed Care Organizations, Health Care Authority, Developmental Disabilities Administration and Behavioral Health Organizations. State acknowledges the importance of accessing Early and Periodic Screening, Diagnostic, and Treatment benefits for eligible waiver participants.

16. Commentor alleges both Basic Plus and IFS waivers are named IFS electronically.

State Response: State verified that online versions of Basic Plus and Individual and Family Services waivers are named appropriately and all links from Developmental Disabilities Administration Home and Community-Based Services internet page take readers to the appropriately titled waiver.

17. Commentor alleges that amendments need thorough proofreading.

State Response: State proofreads each waiver prior to posting for public comment and will proofread again after adding a summary of public comments and State's responses.

18. Commentor alleges that there are hundreds of pages of duplication in the waivers.

State Response: State acknowledges that many parts of all five waiver applications contain identical content that describes administrative oversight, service definitions and limitations, provider qualifications, person-centered service plan development, responses to critical incidents, safeguard concerning restraints and restrictive interventions, medication management, quality improvement strategy, fiscal integrity and accountability, and service rates. These duplications occur where processes are the same across waivers and where services are the same.

19. Commentor alleges that a more robust public input process is necessary.

State Response: State conducts extensive stakeholder input processes during each waiver's renewal process and a more limited process for each waiver amendment. State is open to exploring additional public input processes.

20. Commentor recommends that stakeholder engagement process should be focused on engaging with the people in DDA services.

State Response: State sends an electronic invitation to participate in the public comment process for each waiver amendment and waiver renewal to all waiver and state plan clients/family members who have signed up with our GovDelivery messaging system to receive information. The messages also go to all Developmental Disabilities Administration staff. Requests for public comment are posted on our website. State will resume posting notices in our local offices once the Appendix K flexibilities end in November 2023. The invitation includes a plain-English description of all proposed changes and an email address to collect comments. State is open to exploring additional public input processes.

21. Commentor recommends that whether an assessment is performed virtually should be driven by the person exercising DDA

client rights.

State Response: State agrees that the waiver participant should decide whether an assessment is performed virtually or in person and State will add language that places the waiver participant in control of the choice for an in-person or virtual assessment.

22. Commentor notes that the purposes, goals and objectives of each waiver are largely the same.

State Response: State agrees with this statement. State will be exploring the possibility of consolidating waivers in the future.

23. Commentor alleges there are problems with measuring waiver outcomes without specific measurable objectives unique to each waiver.

State Response: State disagrees with this opinion. Centers for Medicare and Medicaid Services encouraged State to have a standardized set of performance measures across the five waivers to focus the quality assurance process.

24. Commentor alleges that assurances section for each waiver are identical and missing HCBS requirements.

State Response: State has standardized performance measures across the waivers as recommended by Centers for Medicare and Medicaid Services. Each performance measure addresses a specific Home and Community-Based Services assurance, or sub-assurance as required by Centers for Medicare and Medicaid Services. State revises and updates performance measures on a regular basis.

25. Commentor asks why Heightened Scrutiny process isn't explained in any of the waivers.

State Response: State doesn't explain the Heightened Scrutiny process because this is an administrative process under the purview of the State.

26. Commentor asks why DDA is not distributing 1600 cell phones.

State Response: Cell phone distribution is not a part of the waiver amendment process. State used state only funding to purchase 4,294 phones to help waiver participants and others to reduce social isolation and continue to receive supports through the COVID-19 pandemic. The State has an ongoing phone distribution process and has undertaken numerous information sharing campaigns to get the phones out to people who want them.

27. Commentor asks why the Financial Accountability section doesn't mention that DDA has failed the State Audit for the last 9 years.

State Response: State disagrees with this characterization of audit findings. For the latest state audit conducted in 2021, the State Auditor Office found that Developmental Disabilities Administration did not have adequate internal controls over and did not comply with requirements to ensure Medicaid payments to supported living providers were allowable and adequately supported. Developmental Disabilities Administration partially concurs with the finding and \$182,599 in questioned costs, but respectfully disputes the remaining questioned costs (\$251,390,482) identified in the finding. The State documented multiple fiscal controls in place and State will send a request to Centers for Medicare and Medicaid Services that the questioned cost imposed by the State Auditor Office be rescinded.

The previous years State Auditor Office findings were mostly not concurred by DDA due to the abundance of evidence that documentation and oversight systems were in place to monitor, and document supported living expenditures.

28. Commentor asks where a reporting on the health and welfare of beneficiaries is in Section H.

State Response: State notes this section of the waiver application describes the quality improvement strategy, systems improvement, system design changes and whether the State uses a patient experience survey. This section does not include client data.

29. Commentor asks why there is no reference to DDA's failure of the State audit 9 years in a row.

State Response: State refers to response to #27.

30. Commentor asks for the location of Main B which they are unable to locate.

State Response: State notes that content for Main B begins on page 15 and continues through page 25 in the Basic Plus waiver, pages 13-21 for Children's Intensive In-Home Behavioral Support waiver, pages 14-24 for Community Protection waiver, pages 13-22 for Core waiver and pages 14-22 for Individual and Family Services waiver.

31. Commentor notes that waivers have language referring to upcoming dates that are now in the past on pages 12-14.

State Response: State will update the date language to show this information is historic.

32. Commentor asks for the location of Attachment #2 which they are unable to locate.

State Response: Attachment #2 is located at pages 14-15 for Basic Plus waiver, page 13 for Children's Intensive In-Home Behavioral Support waiver, page 13 for Community Protection waiver, page 13 for Core waiver and pages 13-14 for Individual and Family Services waiver.

33. Commentor alleges that HCBS assurances are missing.

State Response: State disagrees with this statement. Home and Community-Based Services assurances are present.

34. Commentor recommends DDA utilize the HCBS DDA Quality Assurance Committee.

State Response: State agrees with commentor. State has presented quality assurance information to the Home and Community-Based Services Developmental Disabilities Administration Quality Assurance Committee in the past, has engaged with the Committee on the findings and will do so in the future.

35. Commentor asks for the location of public comments.

State Response: State notes that there are no public comments in the draft waiver applications because a summary of public comments and the State's responses are added following the end of the public comment period. The waiver applications will display the public comments and State's responses in the waiver amendment applications following Centers for Medicare and

Medicaid Service's approval and the approved waiver amendments will be posted on the Developmental Disabilities Administration's internet site. In the future State will add an explanation of this process in the draft waiver amendment applications.

36. Commentor notes that Section K – Limited English Proficient Persons is very brief.

State Response: State agrees and will work to add more inclusive language access.

37. Commentor asks for the distinction between the terms provider-managed and provider-controlled.

State Response: State notes that the service delivery method for all waiver services offered is described as provider managed rather than participant directed. Provider managed or participant directed are the only options available to the State in the waiver application. The waiver participant retains the ability to schedule the service delivery (virtual or in-person), frequency of service delivery and amount of service as described in the person-centered service plan. The term provider-controlled describes housing that is owned or controlled by a provider and is subject to the following additional conditions to assure client independence: a) unit has a legally enforceable lease and protection from eviction for each waiver participant; b) each participant has privacy in their sleeping unit with lockable doors, choice of roommates, and ability to decorate their sleeping area; c) participants control their schedules and activities and have access to food at any time; d) participants can have visitors of their choosing at any time; e) the setting is physically accessible to the participant; and f) any modification of these conditions must be supported by a specific assessed need and justified in the person-centered service plan.

38. Commentor asks about language included in performance measure D.e.1 and G.a.2.

State Response: State acknowledges confusing language describing the data source, sampling, and performance measure revision date in Quality Improvement Plans (QIPs) for D.e.1 and G.a.2 found in Main.B. Optional. This language will be removed as it only adds confusion. Cleaning up the formatting of the Quality Improvement Plans is problematic as the Waiver Management System does not support any formatting beyond the use of a space key and Portable Document Format (PDF) printed output often skews the formatting further.

39. Commentor asks if the HCA Medicaid Agency Waiver Management Committee has reviewed any QA/QI reports related to HCBS settings rule concerns.

State Response: State provides an annual Quality Report to the Health Care Authority Medicaid Agency Waiver Management Committee and provides periodic updates on quality assurance issues during the year.

40. Commentor alleges that performance measures concerning HCBS settings requirements are missing.

State Response: State agrees that one or more performance measures concerning Home and Community-Based Services settings requirements would be value added and will look to add these in future waiver amendments.

41. Commentor notes that language at Appendix B – Additional criteria for the target group is not clear “Are found by DDA to meet the one or more criteria for an individual with Community Protection Waiver issues.”

State Response: State agrees that the language at Appendix B.1.b. Additional Criteria could be improved. Proposed revision will read: “Meet one or more of the following criteria:” in place of the above phrase.

42. Commentor alleges that DDA's rate assessment is not person-centered.

State Response: State rate settings include stakeholder input including input from waiver participants that has resulted in increased rates for respite in the community settings that is a popular service setting. State will review stakeholder processes and consider methods to increase person-centered rate setting.

43. Commentor alleges that there are systemic problems with positive behavior support plans that are not observable, specific or measurable.

State Response: State disagrees. State has policy on positive behavior support plans, provides training to staff on how to review positive behavior support plans and monitors positive behavior support plans developed by providers. This current waiver amendment does not address positive behavior supports and future amendments will adjust language to better align with the Developmental Disabilities Administration waiver service packages after September 2023 when all participants receive behavior support through the state plan.

44. Commentor alleges that people in DDA waiver services are being coerced to accept services that do not comply with the HCBS settings rule – especially in the CPP.

State Response: State notes that participants on the Community Protection waiver voluntarily sign an agreement to enroll on the Community Protection Program to receive waiver habilitative supports in coordination with state plan treatments to address behavioral health needs. No participant may be court-ordered to participate on this waiver. Based on individual assessments of participant support needs, person-centered service plans are developed to best support the participant. All waiver services are utilized by waiver participants on a voluntary basis and an individual can sign out of the program at any time.

45. Commentor asks who is actually responsible for critical incident follow-up?

State Response: State notes that the staff member who reported the incident, most commonly the Case Resource Manager, is responsible for critical incident follow-up and documenting this follow-up in the Incident Report application. This process is outlined in Developmental Disabilities Administration Policy 12.01 Incident Reporting and Management for Developmental Disability Administration Employees.

46. Commentor asks why there are no crisis diversion bed services for people in the CPP age 18-21.

State Response: State notes there are crisis diversion bed services available for all waiver participants on the Community Protection program age 18+ years of age as described in participant services - Stabilization Services – Crisis Diversion Bed.

47. Commentor alleges that target groups are the same for all waivers except for age limitations in CIIBS and CPP.

State Response: State disagrees. Each waiver application details specific and unique additional criteria in B-1-b. Additional Criteria. For the Core waiver, an individual requires service in excess of what can be provided on the Basic Plus waiver. For the Individual and Family Services waiver, an individual must live in the family home and have an assessed need for the Individual and Family Services waiver services. For the Community Protection waiver, an individual must require 24-hour, on-site, awake staff supervision to ensure the safety of others and require therapies and other habilitation. For the Basic Plus waiver, an individual must have a need for monthly waiver services or monthly monitoring. For the Children's Intensive In-Home Behavioral Support waiver, an individual must be between 8-18 for initial enrollment, meet Children's Intensive In-Home Behavioral Support program eligibility, live with their family and their parents/ guardian have agreed to participate.

48. Commentor alleges that HCBS Waiver Brochures do not explain HCBS settings rule.

State Response: State agrees. State will add a link to an Integrated Settings website in future editions of waiver brochures.

49. Commentor asks if a "Waiver Training Curriculum" exists.

State Response: State has developed a training curriculum for new Case Resource Managers that is delivered at the Academy that covers waiver participant assessment, person-centered service planning, client rights, case management, mandatory reporting, waiver eligibility, waiver requests and waiver enrollment, waiver services, how to find waiver rules, and authorizing waiver services. Waiver Program Specialists add trainings in the regions that cover accessing waiver services, budget tracking and monthly monitoring, prior approvals and exception to rules, waiver resources, latest waiver amendment changes, new supervisor waiver training. Developmental Disabilities Administration Headquarters staff deliver monthly webinars on individual waiver services.

50. Commentor alleges that abuse prevention is missing in all waivers.

State Response: State disagrees. State has two performance measures the speak to abuse prevention education of participants and four performance measures that speak to training of licensed, certified, and non-licensed, non-certified providers. Performance measure G.a.4 Number and percentage of respondents to NCI Survey who report they have received information on how to identify and report instances of abuse, neglect, exploitation, and unexplained deaths. Performance measure G.a.5 Number and percentage of waiver participants signing their annual PCSPs who report they have received information on how to identify and report instances of abuse, neglect, exploitation, and unexplained deaths. Performance measure C.a.1 Number and percentage of waiver service providers requiring licensure or certification, which initially met and continued to meet all DDA contract standards, including licensure or certification, prior to furnishing services. Performance measure C.b.1 Number and percent of waiver participant files with all authorized non-licensed/non-certified providers that met DDA contract standards and waiver requirements. Performance measure C.c.2 Number and percentage of licensed/certified waiver service providers who met state and waiver training requirements as verified by state policies and procedures. Performance measure C.c.3 Number and percentage of non-licensed/non-certified waiver providers who met state and waiver training requirements as verified by state policies and procedures.

Continued from C-1/C-3: Service Specification Individual Supported Employment/Group Supported Employment

Limits: Short term enhanced supports are available if a person is beginning a new job, has planned or expected change in job or job tasks, unexpected change in their condition or support is needed to maintain employment. These are short term hours determined by the county and employment vendor and may be authorized for a maximum of 6 months.

Continued from Appendix D Quality Improvement 1.a.ii

QIPs for D.d.2, D.d.3 & D.e.1 are located at H-2-b.

Continued from Appendix G Quality Improvement 1.a.ii

QIP for Performance Measure G.a.2 - The percentage of incidents of alleged abuse, neglect, exploitation or abandonment in which the waiver participant and/or legal representative was contacted within 30 days to ensure safety plans were developed/appropriately implemented.

Sub-Assurance The state demonstrates on an ongoing basis that it identifies, addresses and seeks to prevent instances of abuse, neglect, exploitation and unexpected death.

Performance Measure G.a.2: The percentage of incidents of alleged abuse, neglect, exploitation or abandonment in which the waiver participant and/or legal representative was contacted within 30 days to ensure safety plans were developed/appropriately implemented. N = # of reviewed incidents in which the waiver participant and/or legal representative was contacted within 30 days to ensure safety plans were developed/appropriately implemented. D = Number of reviewed incidents of alleged abuse, neglect, exploitation or abandonment.

Current compliance is 50% and trending down

Root cause: Field Staff compliance

Remediation Plan:

- Report created and distributed to field in third quarter of 2021
- Require staff follow up
- CARE change request for additional ticklers to supervisor and Incident Report Program Manager
- In October 2021 new statewide standardized training on IR follow up was rolled out

Remediation Goal: 100% follow up after a critical incident to ensure client health and welfare

Implementation Plan:

HQ Responsibilities

Field Implementation Expectations

Report created for field staff (already available)

- Create MB or policy to make 30 day follow up a quality assurance task for supervisors to ensure their staff have completed the 30 day follow up contact
- Supervisors to receive report and expectation of follow up as a mandatory supervisory expectation
- FSAs attend Regional Quality Assurance meeting to review Quality compliance
- 15 day canned report on follow up

CARE Change Request

- Add tickler to CARE for assigned supervisor at 20 days up with staff and ensure 30 day IR follow up is completed
- Supervisor will receive notification tickler and follow up
- Develop MB guidance on remediation expectations for supervisor follow up

Develop MB and Policy on Remediation Expectations

- HQ will outline clear expectations related to IR 30 day critical incident follow up, and all of the above mentioned strategies.
- Field staff will begin, at effective date of the MB, to implement the remediation strategies
- Require supervisor to ensure 30 day follow up in MB

In October 2021 new statewide standardized training including IR follow up

- HQ will review and monitor training schedule and staff attendance
- Field Staff will attend scheduled trainings

Continued from Appendix H-1.b.ii Quality Improvement strategy - System Design Changes

Description of common quality assurance system across all five DDA waivers:

In 2014 waiver amendments, CMS approved Washington State's modification of its sampling design for compiling data on its performance measures from sampling waivers individually to drawing a single sample across all of its DDA HCBS waivers. This language was removed in error from the waiver renewal in 2017 and is replaced here. The DDA HCBS waiver program meets the conditions that are a requirement for the use of this sampling method and will allow a one-year cycle for data collection on performance measures, compared with the previous two-year cycle necessitated by the larger total sample size.

1. Design of the waivers

The DDA waivers are all very similar in design in that the waivers have many services in common, participant safeguards are common across waivers, and a single quality management and improvement strategy is used for the entire DDA waiver program. In addition, waiver program case management is provided by state employees for all waiver participants and the same assessment is used to develop the person-centered service plan (PCSP).

2.a. Participant Services

Many services are identical across waivers, and the rest are much more similar than different. And oversight of services (e.g., to ensure provider contracts are in place, providers are qualified, services authorized are being provided) is based on the same processes across all waivers.

The following services are covered by all of DDA's current waivers: assistive technology, stabilization services (specialized habilitation, crisis diversion beds, staff/family consultation services), environmental adaptations, risk assessment, specialized equipment and supplies, staff/family consultation services and transportation.

The following services are covered by three or four of the DDA waivers: community engagement, extermination of bed bugs, physical therapy, occupational therapy, speech, hearing and language services, respite care, skilled nursing, specialized habilitation, individual supported employment/group supported employment, individualized technical assistance, therapeutic adaptations and wellness education.

Services specific to one or two waivers are community transition, residential habilitation, community inclusion, equine therapy, music therapy, supported parenting services, peer mentoring, person-centered plan facilitation, specialized clothing and specialized evaluation and consultation.

2.b. Participant Safeguards

1. Response to Critical Events or Incidents

Responses to critical events or incidents are not differentiated based on waiver type. Differences in response are based on the setting (e.g., licensed, certified or private residences) and/or the entity responsible for

investigating (i.e., Child Protective Services, Adult Protective Services, Residential Care Services). Critical events or incidents must be reported irrespective of the setting or waiver enrollment.

2. Safeguards concerning restraints and restrictive interventions DDA's extensive protocols concerning the use of restraints and restrictive procedures are not waiver-specific. (Please see Appendix G-2 for an inventory of relevant DDA policies.) In addition, reporting and investigating of abuse and neglect apply to all settings.

2.c. Quality Management Processes and Mechanisms

Critical components of the quality management system include:

- DDA Assessment
- CARE (Comprehensive Assessment Reporting and Evaluation)
- Quality Compliance Coordinator (QCC) Protocols and Data Base
- DDA Incident Reporting System
- Person-Centered Service Plan Meeting Survey
- Complaint Data Base
- Administrative Hearing Data Base
- Agency Contracts Data Base
- National Core Indicators Surveys

3.a. Methodology for discovering information (e.g., data systems, sample selection)

The methodologies for discovering information are common across the entire DDA HCBS waiver program. These methodologies include:

- Quality Compliance Coordinator (QCC) sampling of waiver participant files and file reviews to ensure waiver assurances are being met.

- Person-Centered Service Plan (PCSP) Meeting Survey, which is mailed within one month of the PCSP planning meeting and gives waiver participants an opportunity to respond to a series of questions about the PCSP process.

- National Core Indicators (NCI) Surveys, which includes a standardized set of questions used by All participating states.

In addition, WA State has added questions about waiver services. Waiver participants as well as parents/guardians receive the survey.

- FAMLINK, which is an electronic system that maintains notifications, investigative, and outcome information for Child Protective Services (CPS). Data from FAMLINK is used to track and trend information related to allegations of abuse, neglect, abandonment and financial exploitation.

- TIVA (Tracking Investigations of Vulnerable Adults), which is an electronic system that maintains notifications, investigative, and outcome information for the Resident and Client Protection Program (RCPP) in Residential Care

Services (RCS) and Adult Protective Services (APS) investigations. An additional data feed from ProviderOne has also been included to allow TIVA to collect information related to children and adolescents (under age 21 years)

who are receiving mental health services and involved in abuse, neglect, and/or exploitation investigations. Data from TIVA is also used to track and trend information related to allegations of abuse, neglect, abandonment and financial exploitation.

- Administrative Hearing Data Base, which tracks requests for administrative hearings requested by waiver participants who disagree with decisions made by DDA. DDA uses data from this data base to review the concerns of waiver participants to determine if there are system issues that need to be addressed.

- Agency Contracts Database (ACD), which is used to monitor provider compliance with contracting requirements, including background check requirements, training requirements, and licensure and certification requirements.

- Mortality Review Team (MRT) Reviews of waiver participant deaths.

3.b. Manner in which individual issues are remedied.

Since all waiver participants have a state-employed Case/Resource Manager or Social Services Specialist, remediation activities typically begin at the case management level. In all cases, the DDA strives to provide waiver participants, families and DDA employees with the tools and information necessary to implement HCBS waivers that successfully support individuals in their communities.

When issues with respect to individual waiver participants are identified, case management staff are notified so that immediate action can be taken to address the issues.

Information from the various data sources described above is analyzed to determine: a) whether issues are systemic or individual, and b) the optimum strategy to address the issues identified.

Strategies to address issues in the DDA HCBS waiver program include:

- Edits in computer-based systems to require necessary information be included or to prevent inappropriate action;
- Additions to or development of computer-based systems to accommodate waiver processes such as person-centered planning and quality improvement activities such as monitoring of waiver participant abuse and neglect;
- Revisions in Washington Administrative Code (WAC) to clarify waiver requirements so that waiver participants, families and DDA staff all understand waiver requirements;
- Revisions or additions to DDA publications that provide waiver participants, guardians and families with up-to-date information on the HCBA waivers available, including the populations served, services covered, how to request waiver enrollment, and administrative hearing rights and procedures; and
- Revisions or additions to guidance (e.g., staff training, the DDA waiver manual, management bulletins, WAC) provided to DDA case management staff on the waivers and waiver-related processes (e.g., waiver enrollment, development of the person-centered plan, provision of waiver services, oversight of the individual support plan).

3.c. Process for identifying and analyzing patterns/trends.

The processes for identifying and analyzing patterns/trends are identical across all DDA HCBS waivers.

Data that is analyzed to identify patterns and trends comes from:

- QCC reviews
- CARE
- National Core Indicators
- PCSP satisfactions surveys
- Fiscal reports
- CRM face to face meeting data
- Incident Reports
- Complaint Data Base
- Mortality Review Team Reviews

Many entities help the DDA identify and analyze patterns and trends by reviewing reports and QIS data, including:

- DDA Executive Management, including the DDA Assistant Secretary, DDA Deputy Assistant Secretary, DDA Division Directors, DDA Office Chiefs, DDA Unit Managers, and DDA regional waiver and quality assurance specialists.
- DDA Incident Review Team, which meets monthly to review aggregate data from the Electronic Incident Reporting System and makes recommendations to prevent incidents.
- DDA Mortality Review Team, which meets monthly to review deaths of waiver participants and identify, monitor and make recommendations concerning mortality trends and patterns.
- Stakeholders, who can access a dedicated internet site which offers them an opportunity to review annual waiver reports, review quality assurance activities, provide input on needed changes, provide suggestions for ways to better served waiver participants, and participate in an on-going dialogue about the quality of services for individuals on the DDA HCBS waivers.
- DDA HCBS Waiver Quality Assurance Committee, which is sponsored by the DDC and is comprised of self-advocates, family members, providers and Administration representatives and meets four times a year (with provision for sub-committees as needed) to provide oversight of and guidance for the DDA HCBS Waiver program.
- Developmental Disabilities Council (DDC) which provides recommendations for improvement using the National Core Indicators Survey as the tool to identify trends and patterns.
- HCA Medicaid Agency Waiver Management Committee, which includes representatives from the Health Care Authority (the single State Medicaid Agency) and Administrations/Divisions within the operating agency and meets quarterly to review all functions delegated to the operating agency, current quality assurance activities and reports, pending waiver activity and potential waiver policy and rule changes and quality improvement activities.

3.d. Majority of the performance indicators are the same.

Currently ninety-six percent (96%) of the performance measures that apply to the DDA HCBS waiver program are common across all five waivers. The remainder are unique to individual waivers based on the populations served and the types of services covered.

4. The provider network is the same or very similar.

Provider networks across all waivers are very similar due to the services that the waivers have in common.

5. Provider oversight is the same or very similar.

Provider oversight is the same across all waivers due to the use of common mechanisms (e.g. Agency Contracts Database),

standardized contracts, and standardized protocols for provider oversight that are implemented by state staff employed at the regional level.

A consolidated evidence report is published annually in the fall for all waivers. Evidence for any assurances not met, evidence for performance measures that are unique to any waivers and individual activities for remediation in instances of abuse, neglect and/or exploitation are included in the consolidated evidence report.

Continued from I-1:

The State implemented EVV for Personal Care, Skills Acquisition, Respite and Relief Care provided by individual providers and home care agencies effective January 1, 2021. EVV utilizes a 21st Century Cures Act compliant mobile application, Time4Care, to capture and report the six required data elements: 1) type of service performed including service delivery detail, activities and visit notes; 2) who received the service; 3) real time capture of date of the service; 4) who provided the service; 5) real time capture of location of service delivery via GPS; and 6) when the service begins and ends using real time clock in/clock out functionality.

• EVV is used to monitor the State's financial integrity and accountability and reduce fraud, waste and abuse. The EVV application, Time4Care, has the following features:

- is 21st Century Cures Act compliant;
- allows for the control and flexibility of service delivery;
- the application is simple to use and records time offline without an internet connection;
- Time4Care is integrated with the WA IPhone web portal;
- Error trapping – Time4Care lets providers know in real time if there are problems with their data entries;
- Time4Care is designed to mitigate fraud, waste and abuse.

This waiver provides Skilled Nursing, the only Home Health Care Service which is subject to the State's fully implemented EVV system.

The State's EVV system allows the location data, time-in and time-out data provided by the EVV system to be seen as a component of the State's MMIS, ProviderOne, which permits detailed monitoring of Skilled Nursing service delivery to waiver participants in their homes.

Regarding annual cost reports: First, only claims that have an approved authorization can be paid. If a claim is determined to be inappropriate, the authorization will be amended and an adjustment will be made to the claim that will cause it to reprocess, deny, and the resulting debt that is created will be sent to the Office of Financial Recovery for collection. FFP is revised to match the corrected authorization.

Continued at A. Attachment #2

Continued from Appendix I.2.a Rate Methodology Methods:

Risk Assessments & Stabilization Services – Crisis Diversion Bed – Negotiated Rates: Rates are negotiated by DDA regional staff with individual providers/agencies. Variations in rates are due to provider differences related to overhead, staff wages, & the local demand for services. Rate changes may be proposed by providers or by DDA. Criteria for rate changes include funding provided by the Legislature & the rates paid for similar services in the geographic area, which in turn are based on provider overhead, staff wages (if applicable) & the local demand for services. DDA adjusts rates annually if necessary. To increase contracted rates, rate comparisons must indicate prevailing market rates have increased significantly (e.g., 20%+).

Shoppers for Specialized Equipment & Supplies – Fixed rate: The Contractor shall be reimbursed \$8.00 per 15 minute units for the time spent completing tasks under this contract (including, but not limited to shopping, arranging for set-up, and transportation).

Transportation-Fee Schedule: Individual provider & agency hourly rates & the mileage rate for transportation are based upon the rates provided to personal care providers. Those provider rates are standardized based on negotiations with the Service Employees International Union (SEIU) & funding provided by the Legislature. Changes in rates may be proposed by either party during the negotiations for contract terms, held every two years. DDA will adjust the rates whenever the negotiated rates change, which is expected to be every two years. The rate for transportation is changed based on significant (e.g., 20%) increases in the cost of vehicle maintenance & repair costs & the cost of fuel. HCA Contracted Non-Emergency Medical Transportation Brokers – market rate; Non-Emergency Medical Transportation Companies – market rate.

Specialized Equipment and Supplies-Fee Schedule: All rates are based on the Medicaid rate and system enforced through the Provider One payment system. Rate changes (both increases and decreases) are determined through legislative action and appropriation.

Specialized Evaluation and Consultation: rate range for 1:1 and group supports and a flat fee for reports.

Skilled Nursing-Fee Schedule: Nurse Delegation, Skilled Nursing: Rates are based on Medicaid unit rates with no vacation or overtime. Changes to flat rates such as these are initiated, mandated and funded by the Legislature during legislative sessions, which are held annually. Adjustments to the rates will be made by the HCA. HCA rates are updated every January with any possible new codes, & rates are changed every July to align with new RVUs, State GPCI, & State specific conversion factor. For codes that do not have RVUs, analysis is completed and rates are usually set at a flat rate. If analysis shows they need to be updated, that will occur every July with the other codes. The most recent update was in July 2021, & will be updated again this coming July.

Community Transition- Negotiated Market Rate: Based upon local housing (e.g., rent deposit) and utility costs and the specific needs of the individual(e.g., for furnishings).

Extended State Plan Services

Extended State Plan Services (occupational therapy, speech, hearing and language services, physical therapy): These services are paid via ProviderOne, Washington State's approved MMIS. These rates are established by the HCA & are updated every January with any possible new codes, & rates are changed every July to align with new RVUs, State GPCI, and State specific conversion factor. The most recent update was in July 2021.

Individualized Technical Assistance: Negotiated Rate: Unit rates are negotiated between the counties and their providers within the parameters established by the County Service Guidelines and county allocations. Variations in rates are due to differences among providers related to overhead, staff wages, and the local demand for services.

Assistive Technology - Market rate. Rates are based on usual & customary charges for the products/services as paid by the general public. Charges are adjusted by the supplier based on overhead, staff wages & the local demand for the products/services. To maintain availability of these products/services for waiver participants, DDA adjusts rates annually if rate comparisons indicate prevailing market rates have increased significantly (e.g., 20%+).

Extermination of Bed Bugs - Market rate. DDA uses rate based on current market rate as the rate setting methodology for Extermination of Bed Bugs.

Positive Behavior Support and Consultation - Fee Schedule Rate: Regional DDA staff negotiate rates on a provider-specific basis within an identified rate range which is based upon WA state average salaries. Variations in rates are due to differences among provider related to overhead, staff wages, the local demand for services and provider performance. Rate ranges are reviewed every five years and rates for each provider are reviewed within their identified rate range at the time of recontracting, or every three years. This service will be removed on September 1, 2023.

Residential Habilitation:

o Contracted Supported Living

DDA Residential Habilitation tiered rate methodology applies to:

1) Contracted Supported Living (SL)

Program uses the same assessments and rate methodology for establishing payments for all current and future clients.

The Case/Resource Manager completes the DDA assessment with the client and collaboratively develops the Person-Centered Service Plan (PCSP) with the client and others chosen by the client. The Supports Intensity Scale (SIS) in the DDA assessment determines the residential habilitation support needs of a client. The residential algorithm described in WAC 388-828-9500 through 9700 generates the client's residential support level.

A DDA Resource Manager completes a second tool called the residential rate assessment which determines the applicable tier. The rate assessment evaluates the residential support level (identified by the SIS assessment), specific support needs, support provided by others and the number of participants living in the household who can share the support. Then the algorithm identifies the applicable rate tier.

There are nine tiers associated with the rate assessment.

Tiers one through eight use a standardized rate methodology. Each tier links to a daily rate. The daily rate associated with each tier is based on the weighted average cost of services utilized for core benefits. Tier levels match clients, stratified by the assessment tools, with associated payment brackets. A client with higher acuity and complex support needs requires a higher level of service and fewer shared supports. As support needs increase, clients are associated with higher tiers.

Tier level nine is a uniform exception to the standardized formula. Each client in this tier has a personalized daily rate designed to address the unique client needs that are outside of the typical population. Reassessment of the client daily rate will follow the standards as prescribed in DDA Policy 6.02.

There is no maximum rate limit for tier nine. The rate depends on the assessed services and supports required to meet the exceptional needs of the client. The department considers all alternative service options and efficiencies before authorizing tier nine reimbursement.

The daily rate for each tier is specific to county categories (MSA, Non-MSA and King County). The rate for each tier is all-inclusive, which includes direct and indirect costs of service delivery, administration, transportation, training, and professional services.

Implementation Strategy:

DDA intends to implement the tiered rate methodology starting January 01, 2019. DDA will use the current data in its electronic rate system, and make programming modifications to switch to the tiered rates on this date.

Implementation of the tiered rate methodology includes an eighteen-month transition hold-harmless period. This transition period will mitigate payment reductions to the provider agencies and has been funded by the Washington Legislature during the 2018 legislative session. The funding is provided for State Fiscal Years 2019 and 2020.

DDA will monitor provider capacity to ensure that an adequate pool of qualified providers are maintained during this transition, and thereafter.

Continuing oversight to ensure the rate is sufficient but not in excess of necessary services includes:

- * Rate assessment completed by trained DDA field staff. Security rules in CARE system enforce this.
- * Rate assessment is reviewed by supervisory staff for each rate setting result.
- * Rate is reviewed and approved by headquarters staff for each rate setting result.
- * Rate is validated by the office of rates management for each rate setting result.

Cost Reports:

Annual cost reports utilizing a state-provided form are required at the end of each calendar year. Service providers are required to attest to the accuracy of the cost report. Cost reports reconcile purchased support services with provided support services for the calendar year. Cost reports are desk audited to determine accuracy and the reasonableness of reported costs. Reported revenue received is reconciled to ProviderOne payment information to determine settlement amounts as described in DDA Policy 6.04.

Settlements are calculated by the Department staff to determine settlements per contract(s) in cases where providers' contract(s) received more reimbursement for direct support costs than was paid out. There is no settlement for administration/indirect client support cost center of the payment rate. Federal Financial Participation (FFP) amounts as calculated per the current Federal medical assistance percentage (FMAP) are returned to CMS for all settlements that result in pay backs of funds.

Complete details about the tiered rates methodology, cost reporting and settlement methodologies are located in DDA Policies 6.02 and 6.04 and the Cost Report Document.

- State-Operated Supported Living: A prospective (daily) rate based on staffing and overhead costs is established each year for each location (region) based on projected costs and number of resident days for the ensuing fiscal year.

The rates are transmitted to the Office of Financial Recovery (OFR). OFR uses the daily reimbursement rates and the number of Medicaid eligible days at each location to recalculate the federal share of cost of each facility.

The OFR calculation report goes to the Office of Accounting Services and to ALTSA. The fiscal unit at ALTSA prepares a journal voucher to record the federal share under the federal funds appropriation in the FRS. Reported resident days and FFP claims are reconciled with the Office of Financial Recovery each month. At the close of each year, a settlement calculation is prepared to recover additional federal funds, or to pay back funds previously received.

The State Operating Agency is required to follow the Administrative Procedure Act, Chapter 34.05 RCW when soliciting public comments on rate determination methods. Changes to rates that are made by the legislature in the in the biennial and supplemental budget process are part of public hearings on budget and policy legislation. Rates are posted on public web sites.

ONE-DAY PROTOCOL

A. One-day protocol requires a DDA employee to submit an incident report no more than one working day after becoming aware of an incident.

B. A DDA employee must follow one-day protocol if any of the following occur:

1. Alleged or suspected abuse, improper use of restraint, neglect, self-neglect, personal or financial exploitation, or abandonment of a client by a DSHS employee, volunteer, licensee, or contractor.
 2. A client is injured following the use of a restrictive procedure or physical intervention.
 3. A client's injury, regardless of origin, requires professional medical attention.
 4. A client's injury of unknown origin raises suspicion of abuse or neglect due to:
 - a. The extent of the injury;
 - b. The location of the injury, such as an area not typically vulnerable to trauma;
 - c. The number of injuries observed at a specific point in time;
 - d. Repeated injuries of unknown origin; or
 - e. The client's condition.
 5. Known criminal activity perpetrated by a DSHS employee, volunteer, licensee, or contractor that may impact the person's ability to perform the duties required of their position.
 6. Criminal activity by a client that results in a case number being assigned by law enforcement.
 7. Alleged sexual abuse of a client (if not reported under one-hour protocol above).
 8. Client-to-client abuse under RCW 74.34.035, which applies to clients 18 and older and includes:
 - a. Injuries (e.g. bruising, scratches, etc.) that appear on the back, face, head, neck, chest, breasts, groin, inner thigh, buttock, genital, or anal areas;
 - b. Fractures;
 - c. Choking attempts; or
 - d. Patterns of physical assault between the same vulnerable adults or involving the same vulnerable adults.
 9. A client is missing. A client is considered missing if:
 - a. The client's assessed support level in their person-centered service plan (PCSP) is 4, 5, or 6, their whereabouts are unknown, and the client cannot be contacted for two hours, unless the client's DDA CARE assessment or PCSP indicates a different time period;
 - b. The client's assessed support level in their PCSP is 1, 2, 3a, or 3b and the client is out of contact with staff for more time than is expected based on their typical routine, DDA CARE assessment, or PCSP; or
 - c. The client is located by a first responder, police officer, or community member and the provider was unaware that the client was gone.
- Note: A client without good survival skills may be considered in "immediate jeopardy" when missing for any period of time based upon the client's personal history regardless of the hours of service received. This includes clients with identified adult community specialized services issues.
10. Death of a client that doesn't require one-hour protocol.
 11. Death of a live-in care provider
 12. Inpatient admission to a state or local psychiatric hospital or evaluation and treatment center.
 13. Alleged or suspected abuse, abandonment, neglect, personal or financial exploitation by another person (who is not a client or staff), that is screened in by APS, CPS or RCS for investigation.
 14. Criminal activity against a client resulting in a case number being assigned by law enforcement.
 15. Use of a restrictive procedure, on an emergency basis, that is not part of the client's approved Positive Behavior Support Plan (PBSP).
 16. A medication or nurse delegation error that caused or is likely to cause injury or harm to a client according to a pharmacist, nurse, or other medical professional.
 17. A pattern of medication errors involving the same client or the same staff.
 18. Emergency medical hospital admissions.
 19. A client or the client's legal representative are contemplating a permanent sterilization procedure.
 20. A community protection client signs out or leaves the program without intent to return.
 21. A client's provider or family declines to support the client after discharge from a medical or psychiatric facility.

Appendix A: Waiver Administration and Operation

1. State Line of Authority for Waiver Operation. Specify the state line of authority for the operation of the waiver (*select one*):

- ☐ The waiver is operated by the state Medicaid agency.

Specify the Medicaid agency division/unit that has line authority for the operation of the waiver program (*select one*):

☐ **The Medical Assistance Unit.**

Specify the unit name:

(Do not complete item A-2)

☐ **Another division/unit within the state Medicaid agency that is separate from the Medical Assistance Unit.**

Specify the division/unit name. This includes administrations/divisions under the umbrella agency that has been identified as the Single State Medicaid Agency.

(Complete item A-2-a).

☒ **The waiver is operated by a separate agency of the state that is not a division/unit of the Medicaid agency.**

Specify the division/unit name:

Department of Social and Health Services/Developmental Disabilities Administration

In accordance with 42 CFR §431.10, the Medicaid agency exercises administrative discretion in the administration and supervision of the waiver and issues policies, rules and regulations related to the waiver. The interagency agreement or memorandum of understanding that sets forth the authority and arrangements for this policy is available through the Medicaid agency to CMS upon request. (*Complete item A-2-b*).

Appendix A: Waiver Administration and Operation

2. Oversight of Performance.

a. Medicaid Director Oversight of Performance When the Waiver is Operated by another Division/Unit within the State Medicaid Agency. When the waiver is operated by another division/administration within the umbrella agency designated as the Single State Medicaid Agency. Specify (a) the functions performed by that division/administration (i.e., the Developmental Disabilities Administration within the Single State Medicaid Agency), (b) the document utilized to outline the roles and responsibilities related to waiver operation, and (c) the methods that are employed by the designated State Medicaid Director (in some instances, the head of umbrella agency) in the oversight of these activities:

As indicated in section 1 of this appendix, the waiver is not operated by another division/unit within the State Medicaid agency. Thus this section does not need to be completed.

b. Medicaid Agency Oversight of Operating Agency Performance. When the waiver is not operated by the Medicaid agency, specify the functions that are expressly delegated through a memorandum of understanding (MOU) or other written document, and indicate the frequency of review and update for that document. Specify the methods that the Medicaid agency uses to ensure that the operating agency performs its assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify the frequency of Medicaid agency assessment of operating agency performance:

Specify the functions that are expressly delegated through a memorandum of understanding:

Schedule A5 of the Cooperative Agreement delegates the following functions to the operating agency:

- Submission of all necessary application, renewal and amendment materials to CMS in order to secure and maintain approval of all proposed and existing waivers;
- Responsibility for the operation, management, and reporting of allowable Medicaid administrative activities for approved federal waivers; and
- Developing regulations, MMIS policy changes, and provider manuals.

The Cooperative Agreement is reviewed and updated when needed as issues are identified.

The Medicaid agency is responsible for approving rules, regulations and policies that govern how waivers are operated and retains the authority to discharge its responsibilities for the administration of the Medicaid program pursuant to 42 CFR § 431.10(e). The assigned operational and administrative functions are monitored as part of DDA's annual Quality Assurance (QA) Review Cycle. Final QA outcome reports are provided to the Medicaid agency for review and follow-up.

At the end of each QA Review Cycle, a final report is generated which includes detailed data on a state-wide level. These results are analyzed and incorporated into a statewide Performance Improvement Plan (PIP). The State Medicaid Agency receives annual Quality Assurance Review reports and meets with the operating agency at the conclusion of the QA cycle to review results and provide input into the PIP. The PIP is reviewed and approved for implementation by executive management.

The HCA Medicaid Agency Waiver Management Committee includes representatives from the Health Care Authority (the Single State Medicaid Agency) and divisions within the operating agency: DDA, Home and Community Services (HCS), Residential Care Services (RCS), and the Behavioral Health Administration (BHA). The committee meets at least quarterly to review all functions delegated to the operating agency, current quality assurance activity, pending waiver activity (e.g., amendments, renewals), potential waiver policy and rule changes and quality improvement activities.

Appendix A: Waiver Administration and Operation

3. Use of Contracted Entities. Specify whether contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable) (*select one*):

- ☒ **Yes. Contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or operating agency (if applicable).**

Specify the types of contracted entities and briefly describe the functions that they perform. *Complete Items A-5 and A-6.:*

State assures that 28 contracted counties who serve an administrative function in contracting for Community Inclusion and Supported Employment providers, allow for open and continuous enrollment of all qualified Community Inclusion and Supported Employment providers. State also assures that for 11 counties who are direct service providers, State allows for continuous enrollment of all Community Inclusion and Supported Employment providers. All counties disseminate information concerning day programs and employment services to potential enrollees and monitor waiver expenditures against approved levels. Administering counties recruit providers and determine day program and employment payment amounts or rates.

The Medicaid agency retains ultimate authority and responsibility for the operation of the waiver by exercising oversight over the performance of waiver functions by the Department of Social and Health Services and other state and local/regional non-state agencies and contracted entities.

- ☐ **No. Contracted entities do not perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable).**

Appendix A: Waiver Administration and Operation

4. Role of Local/Regional Non-State Entities. Indicate whether local or regional non-state entities perform waiver

operational and administrative functions and, if so, specify the type of entity (*Select One*):

☐ Not applicable

☒ **Applicable** - Local/regional non-state agencies perform waiver operational and administrative functions.
Check each that applies:

☒ **Local/Regional non-state public agencies** perform waiver operational and administrative functions at the local or regional level. There is an **interagency agreement or memorandum of understanding** between the State and these agencies that sets forth responsibilities and performance requirements for these agencies that is available through the Medicaid agency.

Specify the nature of these agencies and complete items A-5 and A-6:

WA State Counties

☐ **Local/Regional non-governmental non-state entities** conduct waiver operational and administrative functions at the local or regional level. There is a contract between the Medicaid agency and/or the operating agency (when authorized by the Medicaid agency) and each local/regional non-state entity that sets forth the responsibilities and performance requirements of the local/regional entity. The **contract(s)** under which private entities conduct waiver operational functions are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Specify the nature of these entities and complete items A-5 and A-6:

Appendix A: Waiver Administration and Operation

5. Responsibility for Assessment of Performance of Contracted and/or Local/Regional Non-State Entities. Specify the state agency or agencies responsible for assessing the performance of contracted and/or local/regional non-state entities in conducting waiver operational and administrative functions:

Department of Social and Health Services/Developmental Disabilities Administration

Appendix A: Waiver Administration and Operation

6. Assessment Methods and Frequency. Describe the methods that are used to assess the performance of contracted and/or local/regional non-state entities to ensure that they perform assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify how frequently the performance of contracted and/or local/regional non-state entities is assessed:

Each biennium, DDA reviews and evaluates the state's Employment & Day program subcontractors. The evaluation incorporate all contractual requirements including but not limited to waiver participant direct services, program quality assurance, indirect systems, policies and procedure, and fiscal soundness. All counties are asked to complete and return the Employment & Day Contract Compliance review checklist, which is a self-assessment tool.

In addition to the tool, DDA asks counties to submit various other information - examples of requested information include:

- Their most recent Request for Qualifications for Employment & Day Program Services.
- Their site review schedule including dates and the names of providers to be reviewed.
- An overview of their "Quality Assurance & Evaluation" process including:
 - A sample site review engagement letter.
 - The evaluation tool used for the site review.
 - A sample follow-up site review letter (preferably a corrective action sample).
 - An explanation of how client review sampling is determined.

Once information is obtained, DDA compiles the information and determines which counties require further review. A county who elects not to submit the requested information is automatically chosen. Thus DDA conducts a 100% review of Counties and based on the information provided, DDA determines which Counties require on-site reviews and technical assistance.

When on-site reviews are conducted:

Waiver participant files will be reviewed for specific elements including:

- Relationship of clients - file notes describing services - to reporting documents - to DDA's Person-Centered Service Plan;
- Quality of reporting documents, activity progress and outcome status;
- Accuracy of service hours reported, including separation of DVR hours;
- Required documentation such as grievance procedures, medical information, release of information, etc.

Direct service staff files will be reviewed for specific elements including:

- Background checks;
- Qualifications;
 - *Training information; and
 - *Documentation of Policy Review.

As a result of the site visits, counties receive written feedback which includes recommendations for necessary corrective action.

The Medicaid Agency is responsible for approving rules, regulations and policies that govern how waivers are operated. The assigned operational and administrative functions are monitored as part of DDA's annual QA Review Cycle. At the end of each annual QA Review Cycle a report is generated which includes detailed data on a state-wide level. Final QA outcome reports are provided to the Medicaid Agency for review and input. Monitoring results are also reviewed with the HCBS Medicaid Waiver Management Committee at the quarterly meeting of the Committee immediately following compilation of the monitoring results.

Appendix A: Waiver Administration and Operation

7. Distribution of Waiver Operational and Administrative Functions. In the following table, specify the entity or entities that have responsibility for conducting each of the waiver operational and administrative functions listed (*check each that applies*):

In accordance with 42 CFR §431.10, when the Medicaid agency does not directly conduct a function, it supervises the performance of the function and establishes and/or approves policies that affect the function. All functions not performed directly by the Medicaid agency must be delegated in writing and monitored by the Medicaid Agency. *Note: More than one box may be checked per item. Ensure that Medicaid is checked when the Single State Medicaid Agency (1) conducts the function directly; (2) supervises the delegated function; and/or (3) establishes and/or approves policies related to the function.*

| Function | Medicaid Agency | Other State Operating Agency | Contracted Entity | Local Non-State Entity |
|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Participant waiver enrollment | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Waiver enrollment managed against approved limits | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Waiver expenditures managed against approved levels | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Level of care evaluation | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Review of Participant service plans | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Prior authorization of waiver services | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Utilization management | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Qualified provider enrollment | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Execution of Medicaid provider agreements | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Establishment of a statewide rate methodology | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rules, policies, procedures and information development governing the waiver program | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Quality assurance and quality improvement activities | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Appendix A: Waiver Administration and Operation

Quality Improvement: Administrative Authority of the Single State Medicaid Agency

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

a. Methods for Discovery: Administrative Authority

The Medicaid Agency retains ultimate administrative authority and responsibility for the operation of the waiver program by exercising oversight of the performance of waiver functions by other state and local/regional non-state agencies (if appropriate) and contracted entities.

i. Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Performance measures for administrative authority should not duplicate measures found in other appendices of the waiver application. As necessary and applicable, performance measures should focus on:

- Uniformity of development/execution of provider agreements throughout all geographic areas covered by the waiver
- Equitable distribution of waiver openings in all geographic areas covered by the waiver
- Compliance with HCB settings requirements and other new regulatory components (for waiver actions submitted on or after March 17, 2014)

Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

A.6: Number & percent of waiver deliverables that comply with the Interagency Cooperative Agreement as documented by acceptance letters from HCA. N = Number of waiver deliverables that comply with the Interagency Cooperative Agreement as

documented by acceptance letters from HCA. D = Total number of waiver deliverables.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation(<i>check each that applies</i>): | Frequency of data collection/generation(<i>check each that applies</i>): | Sampling Approach(<i>check each that applies</i>): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis(<i>check each that applies</i>): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other | <input checked="" type="checkbox"/> Annually |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| Specify: | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: |

Performance Measure:

A.3: Number & percent of counties that need on-site monitoring for quality assurance that receive on-site monitoring. N = Number of counties that need on-site monitoring for quality assurance that receive on-site monitoring. D = Number of counties identified to need on-site monitoring.

Data Source (Select one):

Analyzed collected data (including surveys, focus group, interviews, etc)

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = |
| <input type="checkbox"/> Other Specify: | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |
| | <input checked="" type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: |

| | | |
|--|---|--|
| | | |
| | <input type="checkbox"/> Other Specify: | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: |

Performance Measure:

A.4: Number & percent of waiver, waiver amendment & waiver renewal requests submitted to CMS for which approval was obtained from Single State Medicaid Agency. N = # of wvr, wvr amdmt and wvr renewal requests submitted to CMS for which approval was obtained from SSMA. D = Total # of wvr, wvr amdmt & wvr renewal requests submitted to CMS.

Data Source (Select one):**Operating agency performance monitoring**

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (<i>check each that applies</i>): | Frequency of data collection/generation (<i>check each that applies</i>): | Sampling Approach (<i>check each that applies</i>): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |

| | | |
|--|--|---|
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| | |

Performance Measure:

A.2: Number & percent of counties that comply with their fiscal year waiver spending plans provided by the state. N = Number of counties that comply with their fiscal year waiver spending plans provided by the state. D = All contracted counties.

Data Source (Select one):

Financial records (including expenditures)

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Every other month.</div> |

Performance Measure:

A.5: Number & percent of scheduled meetings of the HCA Medicaid Agency Waiver Management Committee that are held. N = Number of scheduled meetings of the HCA Medicaid Agency Waiver Management Committee that are held. D = Total number of scheduled meetings of the HCA Medicaid Agency Waiver Management Committee.

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

| | | |
|--|--|--|
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |

Performance Measure:

A.1: Number & percent of contracted counties that submit timely contract monitoring reports. N = Number of contracted counties that submit timely contract monitoring reports. D = All contracted counties.

Data Source (Select one):

Analyzed collected data (including surveys, focus group, interviews, etc)

If 'Other' is selected, specify:

| Responsible Party for data collection/generation(check each that applies): | Frequency of data collection/generation(check each that applies): | Sampling Approach(check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |

| | | |
|--|--|---|
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input checked="" type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input checked="" type="checkbox"/> Other Specify: <div>During the first fiscal year of the biennium.</div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input checked="" type="checkbox"/> Other Specify: |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| | i.e., During the first fiscal year of the biennium. |

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

A.1: The DDA County Services Unit Manager has developed a self-reported survey which counties complete and submit during the first year of each biennium. These are submitted to and reviewed by the DDA County Services Unit Manager.

A.2: The DDA County Services Unit Manager monitors county expenditures against fiscal year spending plans, ensures that billed budget categories are in agreement with approved budgets/contracts and provides general accounting oversight.

A.3: The DDA County Services Unit Manager provides on-site monitoring and/or technical assistance to counties annually according to need.
The Developmental Disabilities Administration has a standard contract with each county that includes oversight expectations concerning waiver-related activities including provider enrollment/contracting and quality assurance/improvement activities.
In addition, on an ongoing basis Administration staff communicate back and forth with county staff on topics including county performance data and changes in federal and state rules and waiver-related policies.

A.4: The State Operating Agency obtains written approval from the Single State Medicaid Agency (Health Care Authority-HCA) to submit initial waiver requests, waiver amendment requests and waiver renewal requests to CMS. The Waiver Services Unit Manager verifies annually that approval from the HCA was obtained for all waiver amendment requests and waiver renewal requests submitted to CMS.

A.5: The HCA Medicaid Agency Waiver Management Committee includes representatives from the HCA and Administrations and Divisions within the operating agency: DDA, HCS, RCS, and BHA. The committee meets at least quarterly to review all functions delegated to the operating agency, current quality assurance activity, pending waiver activity (e.g., amendments, renewals), potential waiver policy and rule changes and quality improvement activities. The Waiver Services Unit Manager verifies annually that these meetings were held.

A.6 The Operating Agency obtains written permission from the Health Care Authority prior to submitting waiver amendments, renewals or new waiver applications to CMS as confirmation that waiver deliverables are in compliance with the Interagency Cooperative Agreement.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

A.1: If a county has not returned a completed self-report survey, the DDA County Services Unit Manager follows up with the county to convey non-compliance and request the completed survey be submitted within approximately 25 days. If a survey indicates necessary contract monitoring is not being accomplished by the county, the DDA County Services Unit Manager provides consultation and technical assistance to ensure necessary monitoring activities are completed and their completion is reflected in the following survey.

A.2: If county expenditures do not match the fiscal year spending plan, or billed budget categories are not in agreement with approved budgets/contracts, the DDA County Services Unit Manager provides consultation and technical assistance to the county to ensure compliance.

A.3: The DDA County Services Unit Manager documents all on-site monitoring or technical assistance provided to counties.

A.4 & A.6: If it is determined that HCA approval was not obtained for all initial waiver requests, waiver amendment or waiver renewal requests submitted to CMS, the Waiver Services Unit Manager will ensure that approval from the HCA will be obtained and processes will be reviewed and evaluated to determine if changes need to be made to ensure prospective approval is obtained in the future.

A.5: If the HCA Medicaid Agency Waiver Management Committee did not meet quarterly, the Waiver Services Unit Manager will ensure the process is modified as necessary so that in the future quarterly meetings are held.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

| Responsible Party <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Every other month; annually during the first year of the biennium.</div> |

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Administrative Authority that are currently non-operational.

☒ No

☐ Yes

Please provide a detailed strategy for assuring Administrative Authority, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix B: Participant Access and Eligibility

B-1: Specification of the Waiver Target Group(s)

a. Target Group(s). Under the waiver of Section 1902(a)(10)(B) of the Act, the state limits waiver services to one or more groups or subgroups of individuals. Please see the instruction manual for specifics regarding age limits. *In accordance with 42 CFR §441.301(b)(6), select one or more waiver target groups, check each of the subgroups in the selected target group(s) that may receive services under the waiver, and specify the minimum and maximum (if any) age of individuals served in each subgroup:*

| Target Group | Included | Target SubGroup | Minimum Age | Maximum Age | |
|---|-------------------------------------|-------------------------------|-------------|-------------------|-------------------------------------|
| | | | | Maximum Age Limit | No Maximum Age Limit |
| Aged or Disabled, or Both - General | | | | | |
| | <input type="checkbox"/> | Aged | | | <input type="checkbox"/> |
| | <input type="checkbox"/> | Disabled (Physical) | | | |
| | <input type="checkbox"/> | Disabled (Other) | | | |
| Aged or Disabled, or Both - Specific Recognized Subgroups | | | | | |
| | <input type="checkbox"/> | Brain Injury | | | <input type="checkbox"/> |
| | <input type="checkbox"/> | HIV/AIDS | | | <input type="checkbox"/> |
| | <input type="checkbox"/> | Medically Fragile | | | <input type="checkbox"/> |
| | <input type="checkbox"/> | Technology Dependent | | | <input type="checkbox"/> |
| Intellectual Disability or Developmental Disability, or Both | | | | | |
| | <input checked="" type="checkbox"/> | Autism | 18 | | <input checked="" type="checkbox"/> |
| | <input checked="" type="checkbox"/> | Developmental Disability | 18 | | <input checked="" type="checkbox"/> |
| | <input checked="" type="checkbox"/> | Intellectual Disability | 18 | | <input checked="" type="checkbox"/> |
| Mental Illness | | | | | |
| | <input type="checkbox"/> | Mental Illness | | | <input type="checkbox"/> |
| | <input type="checkbox"/> | Serious Emotional Disturbance | | | |

b. Additional Criteria. The state further specifies its target group(s) as follows:

Individuals must meet the Developmental Disabilities Administration (DDA) definition of developmental disability as contained in state law RCW 71A.10.020 Definitions and stipulated in state administrative code WAC 388-823 Developmental Disabilities Administration Intake and Eligibility Determination.

Washington state regulations and administrative codes stipulate that a developmental disability must meet the following minimum requirements:

- (a) Be attributable to intellectual disabilities, cerebral palsy, epilepsy, autism, or another neurological or other condition found by DDA to be closely related to intellectual disability or requiring treatment similar to that required for individuals with intellectual disability;
- (b) Originate prior to age eighteen;
- (c) Be expected to continue indefinitely; and
- (d) Result in substantial limitations as defined in Washington Administrative Code (WAC) 388-823-0210 (definition of substantial limitations).

Individuals on this waiver meet the criteria for ICF/IID level of care and

- Are at least 18 years of age, and
- Live or are moving into the community, and
- Require 24-hour, on-site, awake staff supervision to ensure the safety of others, and
- Require therapies and other habilitation, and
- Meet one or more of the following criteria:

These criteria are as follows:

1. The person has been charged with or convicted of a crime of sexual violence as defined in Chapters 9A.44 and 71.09 RCW;
2. The person has been charged with or convicted of a crime involving sexual acts directed toward strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization, or persons of casual acquaintance with whom no substantial personal relationship exists;
3. The person has been charged with or convicted of one or more violent crimes as defined in RCW 9.94A.030 (45);
4. The person has not been charged with or convicted of a crime identified in (1), (2) or (3) above, but the person has a history of violent, stalking, sexually violent, predatory, and/or opportunistic behavior which a qualified professional has determined demonstrates a likelihood to commit a violent, sexually violent and/or predatory act; and
5. The person constitutes a current risk to others as determined by a qualified professional.
6. Charges or crimes that result in acquittal are excluded.

c. Transition of Individuals Affected by Maximum Age Limitation. When there is a maximum age limit that applies to individuals who may be served in the waiver, describe the transition planning procedures that are undertaken on behalf of participants affected by the age limit (*select one*):

- ☒ **Not applicable. There is no maximum age limit**
- ☐ **The following transition planning procedures are employed for participants who will reach the waiver's maximum age limit.**

Specify:

Appendix B: Participant Access and Eligibility

B-2: Individual Cost Limit (1 of 2)

a. Individual Cost Limit. The following individual cost limit applies when determining whether to deny home and community-based services or entrance to the waiver to an otherwise eligible individual (*select one*). Please note that a state may have only ONE individual cost limit for the purposes of determining eligibility for the waiver:

- ☒ **No Cost Limit.** The state does not apply an individual cost limit. *Do not complete Item B-2-b or item B-2-c.*
- ☐ **Cost Limit in Excess of Institutional Costs.** The state refuses entrance to the waiver to any otherwise eligible individual when the state reasonably expects that the cost of the home and community-based services furnished to that individual would exceed the cost of a level of care specified for the waiver up to an amount specified by the state. *Complete Items B-2-b and B-2-c.*

The limit specified by the state is (*select one*)

- ☐ **A level higher than 100% of the institutional average.**

Specify the percentage:

- ☐ **Other**

Specify:

- ☐ **Institutional Cost Limit.** Pursuant to 42 CFR 441.301(a)(3), the state refuses entrance to the waiver to any otherwise eligible individual when the state reasonably expects that the cost of the home and community-based services furnished to that individual would exceed 100% of the cost of the level of care specified for the waiver. *Complete Items B-2-b and B-2-c.*
- ☐ **Cost Limit Lower Than Institutional Costs.** The state refuses entrance to the waiver to any otherwise qualified individual when the state reasonably expects that the cost of home and community-based services furnished to that individual would exceed the following amount specified by the state that is less than the cost of a level of care specified for the waiver.

Specify the basis of the limit, including evidence that the limit is sufficient to assure the health and welfare of waiver participants. Complete Items B-2-b and B-2-c.

The cost limit specified by the state is (*select one*):

- ☐ **The following dollar amount:**

Specify dollar amount:

The dollar amount (*select one*)

- ☐ **Is adjusted each year that the waiver is in effect by applying the following formula:**

Specify the formula:

- ☐ **May be adjusted during the period the waiver is in effect. The state will submit a waiver amendment to CMS to adjust the dollar amount.**
- ☐ **The following percentage that is less than 100% of the institutional average:**

Specify percent:

☐ Other:

Specify:

Appendix B: Participant Access and Eligibility

B-2: Individual Cost Limit (2 of 2)

Answers provided in Appendix B-2-a indicate that you do not need to complete this section.

b. Method of Implementation of the Individual Cost Limit. When an individual cost limit is specified in Item B-2-a, specify the procedures that are followed to determine in advance of waiver entrance that the individual's health and welfare can be assured within the cost limit:

c. Participant Safeguards. When the state specifies an individual cost limit in Item B-2-a and there is a change in the participant's condition or circumstances post-entrance to the waiver that requires the provision of services in an amount that exceeds the cost limit in order to assure the participant's health and welfare, the state has established the following safeguards to avoid an adverse impact on the participant (*check each that applies*):

- ☐ The participant is referred to another waiver that can accommodate the individual's needs.
- ☐ Additional services in excess of the individual cost limit may be authorized.

Specify the procedures for authorizing additional services, including the amount that may be authorized:

☐ Other safeguard(s)

Specify:

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (1 of 4)

a. Unduplicated Number of Participants. The following table specifies the maximum number of unduplicated participants who are served in each year that the waiver is in effect. The state will submit a waiver amendment to CMS to modify the number of participants specified for any year(s), including when a modification is necessary due to legislative appropriation or another reason. The number of unduplicated participants specified in this table is basis for the cost-neutrality calculations in Appendix J:

| Table: B-3-a | |
|--------------|-------------------------------------|
| Waiver Year | Unduplicated Number of Participants |
| Year 1 | |

| Waiver Year | Unduplicated Number of Participants |
|-------------|-------------------------------------|
| | 504 |
| Year 2 | 504 |
| Year 3 | 504 |
| Year 4 | 504 |
| Year 5 | 504 |

b. Limitation on the Number of Participants Served at Any Point in Time. Consistent with the unduplicated number of participants specified in Item B-3-a, the state may limit to a lesser number the number of participants who will be served at any point in time during a waiver year. Indicate whether the state limits the number of participants in this way: (*select one*) :

- ☐ The state does not limit the number of participants that it serves at any point in time during a waiver year.
- ☒ The state limits the number of participants that it serves at any point in time during a waiver year.

The limit that applies to each year of the waiver period is specified in the following table:

Table: B-3-b

| Waiver Year | Maximum Number of Participants Served At Any Point During the Year |
|-------------|--|
| Year 1 | 504 |
| Year 2 | 504 |
| Year 3 | 504 |
| Year 4 | 504 |
| Year 5 | 504 |

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (2 of 4)

c. Reserved Waiver Capacity. The state may reserve a portion of the participant capacity of the waiver for specified purposes (e.g., provide for the community transition of institutionalized persons or furnish waiver services to individuals experiencing a crisis) subject to CMS review and approval. The State (*select one*):

- ☒ Not applicable. The state does not reserve capacity.
- ☐ The state reserves capacity for the following purpose(s).

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (3 of 4)

d. Scheduled Phase-In or Phase-Out. Within a waiver year, the state may make the number of participants who are served subject to a phase-in or phase-out schedule (*select one*):

- ☒ The waiver is not subject to a phase-in or a phase-out schedule.
- ☐ The waiver is subject to a phase-in or phase-out schedule that is included in Attachment #1 to Appendix B-3. This schedule constitutes an intra-year limitation on the number of participants who are served in

the waiver.

e. Allocation of Waiver Capacity.

Select one:

- ☒ Waiver capacity is allocated/managed on a statewide basis.
- ☐ Waiver capacity is allocated to local/regional non-state entities.

Specify: (a) the entities to which waiver capacity is allocated; (b) the methodology that is used to allocate capacity and how often the methodology is reevaluated; and, (c) policies for the reallocation of unused capacity among local/regional non-state entities:

f. Selection of Entrants to the Waiver. Specify the policies that apply to the selection of individuals for entrance to the waiver:

State regulations stipulate: When there is capacity on a waiver for new waiver participants, DDA will consider any of the following populations in any order:

- (a) Priority populations as identified and funded by the legislature.
- (b) Persons DDA has determined to be in immediate risk of ICF/IID admission due to unmet health and safety needs.
- (c) Persons identified as a risk to the safety of the community.
- (d) Persons currently receiving services through state only funds.
- (e) Persons on an HCBS waiver that provides services in excess of what is needed to meet their identified health and welfare needs (i.e., needs can be met on a lesser waiver).
- (f) Persons who were previously on an HCBS waiver since April 2004 and lost waiver eligibility due to residing in an institution.
- (g) Persons exiting Department of Children, Youth and Families extended foster care or aging out of dependency.

If there is not sufficient capacity to allow potential entrants to be enrolled on the waiver, they can request placement in an ICF/IID.

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served - Attachment #1 (4 of 4)

Answers provided in Appendix B-3-d indicate that you do not need to complete this section.

Appendix B: Participant Access and Eligibility

B-4: Eligibility Groups Served in the Waiver

a. 1. State Classification. The state is a (*select one*):

- ☒ §1634 State
- ☐ SSI Criteria State
- ☐ 209(b) State

2. Miller Trust State.

Indicate whether the state is a Miller Trust State (*select one*):

- ☒ No
- ☐ Yes

b. Medicaid Eligibility Groups Served in the Waiver. Individuals who receive services under this waiver are eligible under

the following eligibility groups contained in the state plan. The state applies all applicable federal financial participation limits under the plan. *Check all that apply:*

Eligibility Groups Served in the Waiver (excluding the special home and community-based waiver group under 42 CFR §435.217)

- ☐ Low income families with children as provided in §1931 of the Act
- ☒ SSI recipients
- ☐ Aged, blind or disabled in 209(b) states who are eligible under 42 CFR §435.121
- ☐ Optional state supplement recipients
- ☐ Optional categorically needy aged and/or disabled individuals who have income at:

Select one:

- ☐ 100% of the Federal poverty level (FPL)
- ☐ % of FPL, which is lower than 100% of FPL.

Specify percentage:

- ☒ Working individuals with disabilities who buy into Medicaid (BBA working disabled group as provided in §1902(a)(10)(A)(ii)(XIII) of the Act)
- ☒ Working individuals with disabilities who buy into Medicaid (TWWIIA Basic Coverage Group as provided in §1902(a)(10)(A)(ii)(XV) of the Act)
- ☒ Working individuals with disabilities who buy into Medicaid (TWWIIA Medical Improvement Coverage Group as provided in §1902(a)(10)(A)(ii)(XVI) of the Act)
- ☐ Disabled individuals age 18 or younger who would require an institutional level of care (TEFRA 134 eligibility group as provided in §1902(e)(3) of the Act)
- ☐ Medically needy in 209(b) States (42 CFR §435.330)
- ☐ Medically needy in 1634 States and SSI Criteria States (42 CFR §435.320, §435.322 and §435.324)
- ☐ Other specified groups (include only statutory/regulatory reference to reflect the additional groups in the state plan that may receive services under this waiver)

Specify:

Special home and community-based waiver group under 42 CFR §435.217 Note: When the special home and community-based waiver group under 42 CFR §435.217 is included, Appendix B-5 must be completed

- ☐ No. The state does not furnish waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217. Appendix B-5 is not submitted.
- ☒ Yes. The state furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217.

Select one and complete Appendix B-5.

- ☐ All individuals in the special home and community-based waiver group under 42 CFR §435.217
- ☒ Only the following groups of individuals in the special home and community-based waiver group under 42 CFR §435.217

Check each that applies:

- ☒ A special income level equal to:

Select one:

- ☒ 300% of the SSI Federal Benefit Rate (FBR)
- ☐ A percentage of FBR, which is lower than 300% (42 CFR §435.236)

Specify percentage:

- ☐ A dollar amount which is lower than 300%.

Specify dollar amount:

- ☐ Aged, blind and disabled individuals who meet requirements that are more restrictive than the SSI program (42 CFR §435.121)
- ☐ Medically needy without spend down in states which also provide Medicaid to recipients of SSI (42 CFR §435.320, §435.322 and §435.324)
- ☐ Medically needy without spend down in 209(b) States (42 CFR §435.330)
- ☐ Aged and disabled individuals who have income at:

Select one:

- ☐ 100% of FPL
- ☐ % of FPL, which is lower than 100%.

Specify percentage amount:

- ☐ Other specified groups (include only statutory/regulatory reference to reflect the additional groups in the state plan that may receive services under this waiver)

Specify:

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (1 of 7)

In accordance with 42 CFR §441.303(e), Appendix B-5 must be completed when the state furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217, as indicated in Appendix B-4. Post-eligibility applies only to the 42 CFR §435.217 group.

- a. Use of Spousal Impoverishment Rules.** Indicate whether spousal impoverishment rules are used to determine eligibility for the special home and community-based waiver group under 42 CFR §435.217:

Note: For the period beginning January 1, 2014 and extending through September 30, 2019 (or other date as required by law), the following instructions are mandatory. The following box should be checked for all waivers that furnish waiver services to the 42 CFR §435.217 group effective at any point during this time period.

- ☒ **Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group. In the case of a participant with a community spouse, the state uses spousal post-eligibility rules under §1924 of the Act.**

Complete Items B-5-e (if the selection for B-4-a-i is SSI State or §1634) or B-5-f (if the selection for B-4-a-i is 209b State) and Item B-5-g unless the state indicates that it also uses spousal post-eligibility rules for the time periods before January 1, 2014 or after September 30, 2019 (or other date as required by law).

Note: The following selections apply for the time periods before January 1, 2014 or after September 30, 2019 (or other date as required by law) (select one).

- ☒ **Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group.**

In the case of a participant with a community spouse, the state elects to (*select one*):

- ☒ **Use spousal post-eligibility rules under §1924 of the Act.**
(Complete Item B-5-b (SSI State) and Item B-5-d)
- ☐ **Use regular post-eligibility rules under 42 CFR §435.726 (SSI State) or under §435.735 (209b State)**
(Complete Item B-5-b (SSI State). Do not complete Item B-5-d)
- ☐ **Spousal impoverishment rules under §1924 of the Act are not used to determine eligibility of individuals with a community spouse for the special home and community-based waiver group. The state uses regular post-eligibility rules for individuals with a community spouse.**
(Complete Item B-5-b (SSI State). Do not complete Item B-5-d)

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (2 of 7)

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.

b. Regular Post-Eligibility Treatment of Income: SSI State.

The state uses the post-eligibility rules at 42 CFR 435.726 for individuals who do not have a spouse or have a spouse who is not a community spouse as specified in §1924 of the Act. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following allowances and expenses from the waiver participant's income:

i. Allowance for the needs of the waiver participant (*select one*):

- ☐ **The following standard included under the state plan**

Select one:

- ☐ **SSI standard**
- ☐ **Optional state supplement standard**
- ☐ **Medically needy income standard**
- ☐ **The special income level for institutionalized persons**

(*select one*):

- ☐ **300% of the SSI Federal Benefit Rate (FBR)**
- ☐ **A percentage of the FBR, which is less than 300%**

Specify the percentage:

- ☐ **A dollar amount which is less than 300%.**

Specify dollar amount:

- ☐ **A percentage of the Federal poverty level**

Specify percentage:

- ☐ **Other standard included under the state Plan**

Specify:

- ☐ **The following dollar amount**

Specify dollar amount: If this amount changes, this item will be revised.

- ☒ **The following formula is used to determine the needs allowance:**

Specify:

A client eligible for home and community based (HCBS) waiver services authorized by the developmental disabilities administration (DDA) under WAC 182-515-1513 must pay toward the cost of care and room and board as specified in WAC 182-515-1514.

DDA determines how much a client must pay toward the cost of care for home and community based (HCBS) waiver services authorized by DDA when the client is living at home or in an alternate living facility. Post eligibility treatment of income, personal needs allowance, allowable deductions for earned income, guardianship fees, child support, needs allowance for a spouse or dependent, medical expenses and other deductions are specified in WAC 182-515-1514.

- ☐ **Other**

Specify:

ii. Allowance for the spouse only (select one):

- ☒ **Not Applicable**
- ☐ **The state provides an allowance for a spouse who does not meet the definition of a community spouse in §1924 of the Act. Describe the circumstances under which this allowance is provided:**

Specify:

Specify the amount of the allowance (select one):

- ☐ **SSI standard**
- ☐ **Optional state supplement standard**
- ☐ **Medically needy income standard**
- ☐ **The following dollar amount:**

Specify dollar amount: If this amount changes, this item will be revised.

- ☐ **The amount is determined using the following formula:**

Specify:

iii. Allowance for the family (select one):

- ☐ **Not Applicable (see instructions)**
- ☐ **AFDC need standard**
- ☒ **Medically needy income standard**
- ☐ **The following dollar amount:**

Specify dollar amount: The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the state's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.

- ☐ **The amount is determined using the following formula:**

Specify:

- ☐ **Other**

Specify:

iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 §CFR 435.726:

- a. Health insurance premiums, deductibles and co-insurance charges
- b. Necessary medical or remedial care expenses recognized under state law but not covered under the state's Medicaid plan, subject to reasonable limits that the state may establish on the amounts of these expenses.

Select one:

- ☐ **Not Applicable (see instructions)***Note: If the state protects the maximum amount for the waiver participant, not applicable must be selected.*
- ☐ **The state does not establish reasonable limits.**
- ☒ **The state establishes the following reasonable limits**

Specify:

The deduction for medical and remedial care expenses that were incurred as the result of the imposition of a transfer of assets penalty is limited to zero.

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (3 of 7)

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.

c. Regular Post-Eligibility Treatment of Income: 209(B) State.

Answers provided in Appendix B-4 indicate that you do not need to complete this section and therefore this section is not visible.

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (4 of 7)

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.

d. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules

The state uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the

contribution of a participant with a community spouse toward the cost of home and community-based care if it determines the individual's eligibility under §1924 of the Act. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the state Medicaid Plan. The state must also protect amounts for incurred expenses for medical or remedial care (as specified below).

i. Allowance for the personal needs of the waiver participant

(select one):

- ☐ SSI standard
- ☐ Optional state supplement standard
- ☐ Medically needy income standard
- ☐ The special income level for institutionalized persons
- ☐ A percentage of the Federal poverty level

Specify percentage:

- ☐ The following dollar amount:

Specify dollar amount: If this amount changes, this item will be revised

- ☒ The following formula is used to determine the needs allowance:

Specify formula:

A client eligible for home and community based (HCBS) waiver services authorized by the developmental disabilities administration (DDA) under WAC 182-515-1513 must pay toward the cost of care and room and board as specified in WAC 182-515-1514.

DDA determines how much a client must pay toward the cost of care for home and community based (HCBS) waiver services authorized by DDA when the client is living at home or in an alternate living facility. Post eligibility treatment of income, personal needs allowance, allowable deductions for earned income, guardianship fees, child support, needs allowance for a spouse or dependent, medical expenses and other deductions are specified in WAC 182-515-1514.

- ☐ Other

Specify:

ii. If the allowance for the personal needs of a waiver participant with a community spouse is different from the amount used for the individual's maintenance allowance under 42 CFR §435.726 or 42 CFR §435.735, explain why this amount is reasonable to meet the individual's maintenance needs in the community.

Select one:

- ☒ Allowance is the same
- ☐ Allowance is different.

Explanation of difference:

iii. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified

in 42 CFR §435.726:

- a. Health insurance premiums, deductibles and co-insurance charges
- b. Necessary medical or remedial care expenses recognized under state law but not covered under the state's Medicaid plan, subject to reasonable limits that the state may establish on the amounts of these expenses.

Select one:

- ☐ **Not Applicable (see instructions)** *Note: If the state protects the maximum amount for the waiver participant, not applicable must be selected.*
- ☐ **The state does not establish reasonable limits.**
- ☒ **The state uses the same reasonable limits as are used for regular (non-spousal) post-eligibility.**

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (5 of 7)

Note: The following selections apply for the five-year period beginning January 1, 2014.

e. Regular Post-Eligibility Treatment of Income: §1634 State - 2014 through 2018.

Answers provided in Appendix B-5-a indicate the selections in B-5-b also apply to B-5-e.

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (6 of 7)

Note: The following selections apply for the five-year period beginning January 1, 2014.

f. Regular Post-Eligibility Treatment of Income: 209(B) State - 2014 through 2018.

Answers provided in Appendix B-4 indicate that you do not need to complete this section and therefore this section is not visible.

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (7 of 7)

Note: The following selections apply for the five-year period beginning January 1, 2014.

g. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules - 2014 through 2018.

The state uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the contribution of a participant with a community spouse toward the cost of home and community-based care. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the state Medicaid Plan. The state must also protect amounts for incurred expenses for medical or remedial care (as specified below).

Answers provided in Appendix B-5-a indicate the selections in B-5-d also apply to B-5-g.

Appendix B: Participant Access and Eligibility

B-6: Evaluation/Reevaluation of Level of Care

As specified in 42 CFR §441.302(c), the state provides for an evaluation (and periodic reevaluations) of the need for the level(s) of care specified for this waiver, when there is a reasonable indication that an individual may need such services in the near future (one month or less), but for the availability of home and community-based waiver services.

- a. Reasonable Indication of Need for Services.** In order for an individual to be determined to need waiver services, an individual must require: (a) the provision of at least one waiver service, as documented in the service plan, and (b) the provision of waiver services at least monthly or, if the need for services is less than monthly, the participant requires

regular monthly monitoring which must be documented in the service plan. Specify the state's policies concerning the reasonable indication of the need for services:

i. Minimum number of services.

The minimum number of waiver services (one or more) that an individual must require in order to be determined to need waiver services is: 1

ii. Frequency of services. The state requires (select one):

- ☐ The provision of waiver services at least monthly
- ☒ Monthly monitoring of the individual when services are furnished on a less than monthly basis

If the state also requires a minimum frequency for the provision of waiver services other than monthly (e.g., quarterly), specify the frequency:

b. Responsibility for Performing Evaluations and Reevaluations. Level of care evaluations and reevaluations are performed (*select one*):

- ☐ Directly by the Medicaid agency
- ☒ By the operating agency specified in Appendix A
- ☐ By a government agency under contract with the Medicaid agency.

Specify the entity:

☐ Other

Specify:

c. Qualifications of Individuals Performing Initial Evaluation: Per 42 CFR §441.303(c)(1), specify the educational/professional qualifications of individuals who perform the initial evaluation of level of care for waiver applicants:

Regional DDA Case/Resource Managers and Regional DDA Social Service Specialists are the only individuals who perform the initial evaluations of level of care prior to placement onto the waiver. In addition to meeting the following minimum qualifications, staff must pass a background check prior to being hired and receive mandatory waiver training prior to completing any evaluations.

DDA Case/Resource Manager

Minimum Qualifications:

A Bachelor's degree in social sciences, social services, human services, behavioral sciences or an allied field and two years of experience providing social services to people with developmental disabilities. Graduate training in social science, social services, human services, behavioral sciences or an allied field will substitute, year for year, for one year of the experience providing social services to people with developmental disabilities.

Social Service Specialist

Minimum Qualifications:

A Master's degree in social services, human services, behavioral sciences, or an allied field and two years of paid social service experience.

OR

A Bachelor's degree in social services, human services, behavioral sciences, or an allied field and three years of social service experience.

- d. Level of Care Criteria.** Fully specify the level of care criteria that are used to evaluate and reevaluate whether an individual needs services through the waiver and that serve as the basis of the state's level of care instrument/tool. Specify the level of care instrument/tool that is employed. State laws, regulations, and policies concerning level of care criteria and the level of care instrument/tool are available to CMS upon request through the Medicaid agency or the operating agency (if applicable), including the instrument/tool utilized.

The Supports Intensity Scale-Adult (SIS-A) is a nationally normed instrument developed by the American Association on Intellectual and Developmental Disabilities used to determine ICF/IID Level of Care for individuals aged 16 and over. The SIS-A is a multidimensional scale designed to determine the pattern and intensity of individual's support needs. The SIS-A was designed to a) assess support needs b) determine the intensity of needed supports c) monitor progress and d) evaluate outcomes of adults with intellectual disabilities and related developmental disabilities.

The Supports Intensity Scale evaluates individuals using the following subscales:

- A. Home Living
- B. Community Living
- C. Lifelong Learning
- D. Employment
- E. Health & Safety
- F. Social
- G. Protection and Advocacy Activities

DDA added two additional scales that include:

- Exceptional Medical Supports Activities
- Exceptional Behavioral Supports Activities

The state of Washington has adapted an ICF/IID Level of Care tool that was originally used to assess individuals through age 12 to assess individuals through age 15. This assessment consists of 18 items, all of which are used to determine ICF/IID Level of Care.

Support needs are assessed in the following areas:

- A. Activities of Daily Living
- B. Instrumental Activities of Daily Living
- C. Family Supports
- D. Safety & Interactions
- E. Peer Relationships

ICF/IID Level of Care as described in Washington Administrative Code (WAC) Chapter 388-828-4400 for adults (16 years of age and older) and Chapter 388-828-3080 for children (birth through 15 years of age).

How does DDA determine if you meet the eligibility requirements for ICF/IID level-of-care if you are age sixteen or older? If you are age sixteen or older, DDA determines you to be eligible for ICF/IID level-of-care from your SIS scores. Eligibility for ICF/IID level-of-care requires that your scores meet at least one of the following:

- (1) You have a percentile rank over nine percent for three or more of the six subscales in the SIS support needs scale;
- (2) You have a percentile rank over twenty-five percent for two or more of the six subscales in the SIS support needs scale;
- (3) You have a percentile rank over fifty percent in at least one of the six subscales in the SIS support needs scale;
- (4) You have a support score of one or two for any of the questions listed in the SIS exceptional medical support needs scale;
- (5) You have a support score of one or two for at least one of the following items in the SIS exceptional behavior support needs scale:
 - (a) Prevention of assaults or injuries to others;
 - (b) Prevention of property destruction (e.g., fire setting, breaking furniture);
 - (c) Prevention of self-injury;
 - (d) Prevention of PICA (ingestion of inedible substances);
 - (e) Prevention of suicide attempts;
 - (f) Prevention of sexual aggression; or
 - (g) Prevention of wandering.
- (6) You have a support score of two for any of the questions listed in the SIS exceptional behavior support needs scale; or
- (7) You meet or exceed any of the qualifying scores for one or more of the following SIS questions:

| Question # of SIS | | Your score for | And your score for |
|---------------------|--------------------------|----------------------|---------------------------|
| Support needs scale | Text of question | "Type of support" is | "Frequency of support" is |
| A2 | Bathing and take | 2 or more | 4 |
| | care of personal hygiene | 3 or more | 2 |

| | | | | |
|----|--|-----------|-----------|--|
| | and grooming needs | | | |
| A3 | Using the toilet | 2 or more | 4 | |
| | | 3 or more | 2 | |
| A4 | Dressing | 2 or more | 4 | |
| | | 3 or more | 2 | |
| A5 | Preparing food | 2 or more | 4 | |
| | | 3 or more | 2 | |
| A6 | Eating food | 2 or more | 4 | |
| | | 3 or more | 2 | |
| A7 | Taking care of clothes, including laundering | 2 or more | 2 or more | |
| | | 3 or more | 1 | |
| A8 | Housekeeping and cleaning | 2 or more | 2 or more | |
| | | 3 or more | 1 | |
| B6 | Shopping and purchasing goods and services | 2 or more | 2 or more | |
| | | 3 or more | 1 | |
| C1 | Learning and using problem-solving strategies | 2 or more | 3 or more | |
| | | 3 or more | 2 | |
| C5 | Learning self-management strategies | 2 or more | 3 or more | |
| | | 3 or more | 2 | |
| E1 | Taking medications | 2 or more | 4 | |
| | | 3 or more | 2 | |
| E2 | Ambulating and moving about | 2 or more | 4 | |
| | | 3 or more | 2 | |
| E3 | Avoiding health and safety hazards | 2 or more | 3 or more | |
| | | 3 or more | 2 | |
| E6 | Maintaining a nutritious diet | 2 or more | 2 or more | |
| | | 3 or more | 1 | |
| E8 | Maintaining emotional well-being | 2 or more | 3 or more | |
| | | 3 or more | 2 | |
| F1 | Using appropriate social skills | 2 or more | 3 or more | |
| | | 3 or more | 2 | |
| G7 | Managing money and personal finances | 2 or more | 2 or more | |
| | | 3 or more | 1 | |

e. **Level of Care Instrument(s).** Per 42 CFR §441.303(c)(2), indicate whether the instrument/tool used to evaluate level of care for the waiver differs from the instrument/tool used to evaluate institutional level of care (*select one*):

- ☒ **The same instrument is used in determining the level of care for the waiver and for institutional care under the state Plan.**
- ☐ **A different instrument is used to determine the level of care for the waiver than for institutional care under the state plan.**

Describe how and why this instrument differs from the form used to evaluate institutional level of care and explain how the outcome of the determination is reliable, valid, and fully comparable.

f. **Process for Level of Care Evaluation/Reevaluation:** Per 42 CFR §441.303(c)(1), describe the process for evaluating waiver applicants for their need for the level of care under the waiver. If the reevaluation process differs from the evaluation process, describe the differences:

The level of care evaluation/reevaluation is completed at least annually. Designated trained DDA staff are the only individuals who perform Level of Care (LOC) Evaluations/Reevaluations. Please see B-6.d. for a description of the Level of Care criteria.

A qualified and trained interviewer completes the SIS-A or the ICF/IID Level of Care Assessment for Children at least annually by obtaining information about the person's support needs via a face-to-face in-person or virtual interview with the person and one or more respondents who know the person well. The waiver participant decides whether the interview will be in person, virtually, or over the phone and the waiver participant also determines who will be invited for the interview. The in-person method is the default option for waiver participants. The Case/Resource Manager is responsible for verifying that the waiver participant has the capability of responding to a virtual or telephone interview if that method of interview is desired by the waiver participant. Included in this preparation for a virtual or telephone assessment is whether the waiver participant has appropriate electronic equipment and any needed assistance to operate the equipment to ensure a successful virtual assessment if that is the choice of the waiver participant.

The inter-rater reliability (IRR) level of care is a 1:1 evaluation of Case/Resource Manager's ability to correctly administer the DDA Assessment. The level of care is one product of the DDA Assessment. DDA Joint Requirements Planning (JRP) staff, DDA's subject matter experts on the DDA Assessment, accompany each Case/Resource Manager in-person or virtually on a DDA Assessment interview annually. Waiver participants must provide permission for this staff to accompany the Case/Resource Manager in-person or virtually. The Case/Resource Manager and JRP independently complete separate assessments and the JRP compares the results to ensure that the Case/Resource Manager's determination of ICF/IID eligibility is consistent with the JRP's. Additionally, the JRP evaluates the Case/Resource Manager's interview skills and knowledge of the DDA Assessment.

All LOCs are not IRR LOCs as this would not be practical nor warranted. The annual sample of IRR LOCs performed for the 406 Case/Resource Managers is a statistically valid sample size for the universe of all participants receiving paid services (32,989 participants receiving paid services requires a sample size of 380 for a confidence level of 95% with a margin of error of +/- 5% according to Raosoft).

When a Case/Resource Manager's assessment is deemed to be significantly variant from the JRP's assessment, the Case/Resource Manager must receive additional training.

State believes this performance measure is a valid, reliable, and sufficient measure of Case/Resource Managers' ability to consistently conduct a DDA Assessment and produce a consistent and reliable LOC.

g. Reevaluation Schedule. Per 42 CFR §441.303(c)(4), reevaluations of the level of care required by a participant are conducted no less frequently than annually according to the following schedule (*select one*):

- ☐ Every three months
- ☐ Every six months
- ☒ Every twelve months
- ☐ Other schedule

Specify the other schedule:

h. Qualifications of Individuals Who Perform Reevaluations. Specify the qualifications of individuals who perform reevaluations (*select one*):

- ☒ The qualifications of individuals who perform reevaluations are the same as individuals who perform initial evaluations.
- ☐ The qualifications are different.

Specify the qualifications:

i. Procedures to Ensure Timely Reevaluations. Per 42 CFR §441.303(c)(4), specify the procedures that the state employs to ensure timely reevaluations of level of care (*specify*):

- o Regional management is responsible for ensuring that DDA staff complete annual evaluations.
- o Assessment data is monitored monthly by regional management and HQ Program Managers and Quality Assurance staff to ensure compliance.
- o Waiver Specialists review Assessment Activity Reports that are generated monthly by HQ and distributed to CRMs to promote completing assessment timely.
- o DDA assessors set personal tickler systems.
- o Annual, monthly and quarterly file reviews track compliance. Ternary reviews are completed by supervisors. Annual reviews are completed by the Quality Compliance Coordinators (QCC).
- o The DDA assessment (on the CARE platform) tracks timeliness of reevaluations. Case Resource Managers, Social Service Specialists, DDA supervisors and DDA executive management all monitor these reports.

j. Maintenance of Evaluation/Reevaluation Records. Per 42 CFR §441.303(c)(3), the state assures that written and/or electronically retrievable documentation of all evaluations and reevaluations are maintained for a minimum period of 3 years as required in 45 CFR §92.42. Specify the location(s) where records of evaluations and reevaluations of level of care are maintained:

Records of evaluations will be maintained for a minimum of three years. Paper copies are available in the individual's file, which is maintained in the regional office. The electronic evaluation is on an electronic platform and can be viewed remotely from any DDA office in the state.

Appendix B: Evaluation/Reevaluation of Level of Care

Quality Improvement: Level of Care

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

a. Methods for Discovery: Level of Care Assurance/Sub-assurances

The state demonstrates that it implements the processes and instrument(s) specified in its approved waiver for evaluating/reevaluating an applicant's/waiver participant's level of care consistent with level of care provided in a hospital, NF or ICF/IID.

i. Sub-Assurances:

- a. Sub-assurance:** *An evaluation for LOC is provided to all applicants for whom there is reasonable indication that services may be needed in the future.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

B.a.1: # & % of all waiver applicants for whom there is a reasonable indication that services may be needed in future (RISNF) who received an evaluation for LOC prior to a completed request for enrollment N = # of wvr apps for whom there is (RISNF) who received an eval for LOC prior to a cmpltld request for enrllmt D = All wvr apps for whom there is RISNF

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other | <input checked="" type="checkbox"/> Annually |

| | |
|---|---|
| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
| Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |

- b. Sub-assurance: The levels of care of enrolled participants are reevaluated at least annually or as specified in the approved waiver.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

- c. Sub-assurance: The processes and instruments described in the approved waiver are applied appropriately and according to the approved description to determine participant level of care.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

B.c.1: Number & percent of inter-rater reliability (IRR) LOC determinations made where LOC processes and instruments described in approved waiver were accurately applied. N = Number of IRR LOC determinations made where LOC processes and instruments described in approved waiver were accurately applied. D = IRR LOC determinations reviewed.

Data Source (Select one):

On-site observations, interviews, monitoring

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Joint Requirements Planning (JRP) Team within DDA. </div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|--|--|
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Joint Requirements Planning (JRP) Team within DDA</div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> |

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

B.a.1.

Administrative data is collected in real time in DDA's Comprehensive Assessment Reporting and Evaluation (CARE) system, which is the database of record for client information. Waiver enrollment requests are processed in CARE, which will not allow completion of the request without a completed level of care assessment. A report based on data in CARE is used to identify all applicants for waiver enrollment for whom an evaluation for LOC was completed prior to a completed request for waiver enrollment and to identify all waiver enrollment applicants.

B.c.1.

When new Case/Resource Managers are hired, they go through five weeks of training which includes extensive training on the use and administration of the LOC assessment, mission, vision and values, person-centered practices, programs and services training specific to DDA services, and in-depth online training about policy and procedures. Within 30 working days of completion of this intensive five weeks of required training, JRP staff perform a 1:1 evaluation of new Case/Resource Managers to ensure that the LOC assessment is administered correctly. In addition, JRP staff conduct an annual 1:1 evaluation of all Case/Resource Managers to ensure that they maintain their skills in administering the LOC assessment in a consistent and reliable manner. During the initial and annual 1:1 evaluations, JRP staff accompany Case/Resource Managers on a LOC assessment interview. The Case/Resource Manager conducts the assessment interview and both the JRP staff and Case/Resource Manager independently complete separate LOC assessments based on the information provided in the interview. The Case/Resource Manager's LOC assessment is then compared to the JRP staff's LOC assessment to ensure that the Case/Resource Manager's determination of ICF/IID LOC eligibility is consistent with that of the JRP staff. JRP staff also evaluate the Case/Resource Manager's interview skills in the following areas: introduction to the tool, mechanics and style of the interview process, and understanding of scoring.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

State tracks capacity of participants in the waiver twice weekly in a report labeled 'Waiver Capacity Status' and distributes this report to Waiver Specialists and Regional Field Service Administrators. Real time data for this report comes from two stand-alone production reports: CARE 1225 DDA Assessment Activity Report and the CARE 1010 Boyle Waiver Enrollment Detail Report.

PM B.a.1: DDA developed a data system that tracks capacity at a point in time which includes the number of people who enrolled and exited the program each month. In addition a separate database was developed that tracks the total unduplicated number of waiver participants. This data is now accessible by the Waiver Services Unit Manager and monitored on a monthly basis. The report for identifying unduplicated numbers of individuals comes from the DDA DataMart. This pulls data from payments for individuals on a waiver program. It will identify every waiver recipient who has received a paid service under the waiver program. In addition, the point in time capacity reports will identify the number of individuals who exit and enter the waiver program. This is updated every half hour. In addition, the report identifies the specific capacity for each waiver and identifies the amount of available capacity. DDA Waiver Services Unit Manager will monitor both reports on a monthly basis, review for available capacity at the point in time as well as the total number of unduplicated individuals who have received a paid waiver services. If discrepancies are identified that DDA will review the data again for the individual cases and if needed will complete an amendment to increase capacity within the waiver program. When the State detects waiver applicants for whom an evaluation for LOC was not conducted prior to a completed request for enrollment, the enrollment will be paused while the State investigates the issue. If the State determines that a LOC has not been conducted, the State will insure that a LOC determination is made. Following the LOC determination, a completed request for enrollment may proceed. The State will determine what steps may be appropriate to prevent further instances of this issue occurring.

B.c.1: When new Case/Resource Managers are hired, they go through five weeks of training which includes extensive training on the use and administration of the LOC assessment, mission, vision and values, person-centered practices, programs and services training specific to DDA services, and in-depth online training about policy and procedures. Within 30 working days of completion of this intensive five weeks of required training, JRP staff perform a 1:1 evaluation of new Case/Resource Managers to ensure that the LOC assessment is administered correctly. In addition, JRP staff conduct an annual 1:1 evaluation of all Case/Resource Managers to ensure that they maintain their skills in administering the LOC assessment in a consistent and reliable manner. During the initial and annual 1:1 evaluations, JRP staff accompany Case/Resource Managers on a LOC assessment interview. The Case/Resource Manager conducts the assessment interview and both the JRP staff and Case/Resource Manager independently complete separate LOC assessments based on the information provided in the interview. The Case/Resource Manager's LOC assessment is then compared to the JRP staff's LOC assessment to ensure that the Case/Resource Manager's determination of ICF/IID LOC eligibility is consistent with that of the JRP staff. JRP staff also evaluate the Case/Resource Manager's interview skills in the following areas: introduction to the tool, mechanics and style of the interview process, and understanding of scoring.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

| Responsible Party(<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other |

| Responsible Party(<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|---|
| | Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Level of Care that are currently non-operational.

☒ No

☐ Yes

Please provide a detailed strategy for assuring Level of Care, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix B: Participant Access and Eligibility

B-7: Freedom of Choice

Freedom of Choice. As provided in 42 CFR §441.302(d), when an individual is determined to be likely to require a level of care for this waiver, the individual or his or her legal representative is:

- i. informed of any feasible alternatives under the waiver; and
- ii. given the choice of either institutional or home and community-based services.

a. Procedures. Specify the state's procedures for informing eligible individuals (or their legal representatives) of the feasible alternatives available under the waiver and allowing these individuals to choose either institutional or waiver services. Identify the form(s) that are employed to document freedom of choice. The form or forms are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

The DDA Case/Resource Manager (CRM) or DDA Social Service Specialist (SSS) discuss the alternatives available as a part of the annual assessment process. The individual and or their legal representative sign the Voluntary Participation Statement to indicate their choice of community based services or ICF/IID services.

The State offers all individuals an institutional option. The Case Resource Manager provides this information to all individuals and documents this in the Voluntary Participation Form which the client signs.

b. Maintenance of Forms. Per 45 CFR §92.42, written copies or electronically retrievable facsimiles of Freedom of Choice forms are maintained for a minimum of three years. Specify the locations where copies of these forms are maintained.

A hard or electronic copy of the Voluntary Participation Statement to include signatures is maintained in the individual record located in the local DDA field service office.

Appendix B: Participant Access and Eligibility

B-8: Access to Services by Limited English Proficiency Persons

Access to Services by Limited English Proficient Persons. Specify the methods that the state uses to provide meaningful access to the waiver by Limited English Proficient persons in accordance with the Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003):

Service access for limited English Proficient individuals is ensured by providing bilingual staff or contracted interpreter services at no cost to the participant. Program materials are translated into the participants primary language. Outreach materials explaining the program are translated into eight different languages.

Appendix C: Participant Services

C-1: Summary of Services Covered (1 of 2)

a. Waiver Services Summary. List the services that are furnished under the waiver in the following table. If case management is not a service under the waiver, complete items C-1-b and C-1-c:

| Service Type | Service | | |
|-----------------------------|--|--|--|
| Statutory Service | Individual Supported Employment/Group Supported Employment | | |
| Statutory Service | Residential Habilitation | | |
| Extended State Plan Service | Occupational Therapy | | |
| Extended State Plan Service | Physical Therapy | | |
| Extended State Plan Service | Speech, Hearing, and Language Services | | |
| Other Service | Assistive Technology | | |
| Other Service | Community Transition | | |
| Other Service | Environmental Adaptations | | |
| Other Service | Extermination of Bed Bugs | | |
| Other Service | Individualized Technical Assistance | | |
| Other Service | Positive Behavior Support and Consultation | | |
| Other Service | Risk Assessment | | |
| Other Service | Skilled Nursing | | |
| Other Service | Specialized Equipment and Supplies | | |
| Other Service | Specialized Evaluation and Consultation | | |
| Other Service | Stabilization Services - Crisis Diversion Bed | | |
| Other Service | Stabilization Services- Specialized Habilitation | | |
| Other Service | Stabilization Services- Staff/Family Consultation Services | | |
| Other Service | Staff/Family Consultation Services | | |
| Other Service | Transportation | | |

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Statutory Service

Service:

Supported Employment

Alternate Service Title (if any):

Individual Supported Employment/Group Supported Employment

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:**Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Supported employment services provide individualized assistance and ongoing support to gain and/or maintain employment. These services are tailored to individual needs, interests, abilities, and promote career development. These services are provided in individual or group settings.

(1) Individual supported employment services include activities needed to sustain minimum wage pay or higher. These services are conducted in integrated business environments and include the following:

- (a) Creation of work opportunities through job development;
- (b) On-the-job training;
- (c) Training for the supervisor and/or peer workers to enable them to serve as natural supports to the participant on the job;
- (d) Modification of the work site tasks;
- (e) Employment retention and follow along support; and
- (f) Development of career and promotional opportunities.

(2) Group supported employment services are a step on the pathway toward gainful employment in an integrated setting and include:

- (a) The activities outlined in individual supported employment services;
- (b) Daily supervision by a qualified employment provider; and
- (c) Groupings of no more than eight workers with disabilities.

ARPA funds may be expended for ISE/GSE services (subminimum wages - Supports to participants to gain minimum wage employment).

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Limits to Individual supported employment/group supported employment services:

Supported employment services are only available to individuals who do not have access to services available under the Rehabilitation Act of 1973, or the Individuals with Disabilities Education Improvement Act of 2004.

- Payment will be made only for the adaptations, supervision, training and support with the activities of daily living a person requires as a result of his/her disabilities.
- Payment is excluded for the supervisory activities rendered as a normal part of the business setting.

DDA contracts with the counties for expanded habilitation (including supported employment) services. The counties in turn contract provide services directly or contract with local providers for expanded habilitation services. The DDA reimburses the counties on a monthly basis for the cost of all services provided within the county. The counties in turn reimburse vendors for services provided based on the negotiated unit rates contained in their contracts with the vendors.

The amount of employment support will be based on the following items:

- Client Employment Acuity is determined through the DDA assessment. Acuity reflects conditions typically related to the individual's disability that are not likely to change, and are generally not impacted by outside factors.
- Client acuity is determined as either High, Medium or Low.

Support level High

- Requires support in the community at all times to maintain health and safety.
- Experiences significant barriers to employment or community participation.
- Requires frequent supervision, training, or full physical assistance with community activities most or all of the time.

Support Level Medium -

- Independent in the community some of the time and requires moderate support to obtain or maintain employment.
- Able to maintain health and safety in the community for short periods of time.
- May need some supervision, training, or partial physical assistance with community activities.
- May need regular monitoring or prompting to perform tasks.

Support Level Low

- Generally independent in the community and requires minimal support to obtain or maintain employment.
- Able to communicate with others effectively and can maintain personal health and safety most of the time without supervision.
- May be able to independently transport self in the community and does not require physical assistance in community activities.
- Able to perform tasks with minimal or occasional monitoring or prompting.

Employment Algorithm Components

A combination of the following acuity scales and assessment items provided the most accurate determination of a person's employment acuity level:

- Activities of Daily Living
- Behavioral Support
- Interpersonal Support
- Environmental Support
- Level of Monitoring
- Employment Support
- Completing tasks with acceptable speed
- Seizure support

Client work history is determined by looking back over a 12-month period and is categorized into three main groupings:

- Continuous Employment Received wages 9 consecutive month of the 12-month period
- Intermittent/Recent Employment - Received wages in at least one month of the 12-month period
- Not employed or unemployed last 12 months - No wages reported as earned during a 12-month period (subminimum wages fall to not employed)

The range of support hours the client receives will be dependent upon the individual's Employment Acuity, work history and phases of employment. DDA uses the following table to determine the number of monthly hours of individual employment service that can be authorized annually in the PCSP to permit flexibility in any given month as situations change on the job site:

| Employment support level: | Employment status is: | Employment level is: | Then the service supported | And s/he may receive up to this many this employment service hours per month: |
|---------------------------|-----------------------|----------------------|----------------------------|---|
| None | Working | A | 0 | 0 |
| | Not Working | B | 0 | |
| Low | Working | C | 4 | 4 |
| | Not Working | D | 7 | |
| Medium | Working | E | 7 | 7 |
| | Not Working | F | 9 | |
| High | Working | G | 11 | 11 |
| | Not Working | H | 12 | 12 |

Depending on factors detailed in the county employment plan, DDA may authorize additional hours of employment service:

| Service level: | Employment Support Level: | Employment Status: | Then DDA may authorize up to this many additional hours of supp. employment service: |
|----------------|---------------------------|--------------------|--|
| A | None | Working | 0 |
| B | None | Not Working | 0 |
| C | Low | Working | 5 |
| D | Low | Not Working | 7 |
| E | Medium | Working | 5 |
| F | Medium | Not Working | 7 |
| G | High | Working | 12 |
| H | High | Not Working | 5 |

In rare instances, an exception to rule (ETR) may be granted to adjust support hours to meet the unique needs of a waiver participant.

Continued at B. Optional

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---------------------------------|
| Agency | County - Supported Employment |
| Individual | Group Supported Employment |
| Agency | County - Supported Employment |
| Individual | Individual Supported Employment |
| Agency | Group Supported Employment |
| Agency | Individual Supported Employment |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service**Service Name: Individual Supported Employment/Group Supported Employment**

Provider Category:

Agency

Provider Type:

County - Supported Employment

Provider Qualifications**License (specify):****Certificate (specify):****Other Standard (specify):**

Contract Standards, which include Policy 6.13.

As stipulated in DDA policy 6.13 (concerning day program provider qualifications), all providers shall meet the following qualifications:

- Demonstrate experience or knowledge in providing services to individuals with developmental disabilities;
- Have a history of working with community-based employers and/or other community entities;
- Demonstrate a method for providing services/jobs based on individual choice and interest;
- Demonstrate an understanding of and commitment to integration of individuals with developmental disabilities with people who are not disabled;
- Have experience in working cooperatively with other organizations such as the Division of Vocational Rehabilitation (DVR), schools, and other community entities;
- Shall have the administrative capabilities necessary to safe guard public funds;
- Shall maintain books, records, documents and other materials relevant to the provision of goods and services;
- Shall provide for systematic accumulation, filing and retention of timely reports for department and/or federal audits;
- Shall be 18 years of age or older and have experience or received training in the following areas:
 - o Positive Behavior Support
 - o Health and Welfare
- Shall have experience or training to provide training and support to individuals in the program area(s) identified in the client's Person-Centered Service Plan (PCSP).

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every two years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Individual Supported Employment/Group Supported Employment

Provider Category:

Individual

Provider Type:

Group Supported Employment

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards, which include Policy 6.13.

As stipulated in DDA policy 6.13 (concerning day program provider qualifications), all providers shall meet the following qualifications:

- Demonstrate experience or knowledge in providing services to individuals with developmental disabilities;
- Have a history of working with community-based employers and/or other community entities;
- Demonstrate a method for providing services/jobs based on individual choice and interest;
- Demonstrate an understanding of and commitment to integration of individuals with developmental disabilities with people who are not disabled;
- Have experience in working cooperatively with other organizations such as the Division of Vocational Rehabilitation (DVR), schools, and other community entities;
- Shall have the administrative capabilities necessary to safe guard public funds;
- Shall maintain books, records, documents and other materials relevant to the provision of goods and services;
- Shall provide for systematic accumulation, filing and retention of timely reports for department and/or federal audits;
- Shall be 18 years of age or older and have experience or received training in the following areas:
 - o Positive Behavior Support
 - o Health and Welfare

Shall have experience or training to provide training and support to clients in the program area(s) identified in the client's Person-Centered Service Plan (PCSP).

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

County

Frequency of Verification:

Every two years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Individual Supported Employment/Group Supported Employment

Provider Category:

Agency

Provider Type:

County - Supported Employment

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards, which include Policy 6.13.

As stipulated in DDA policy 6.13 (concerning day program provider qualifications), all providers shall meet the following qualifications:

- Demonstrate experience or knowledge in providing services to individuals with developmental disabilities;
- Have a history of working with community-based employers and/or other community entities;
- Demonstrate a method for providing services/jobs based on individual choice and interest;
- Demonstrate an understanding of and commitment to integration of individuals with developmental disabilities with people who are not disabled;
- Have experience in working cooperatively with other organizations such as the Division of Vocational Rehabilitation (DVR), schools, and other community entities;
- Shall have the administrative capabilities necessary to safeguard public funds;
- Shall maintain books, records, documents and other materials relevant to the provision of goods and services;
- Shall provide for systematic accumulation, filing and retention of timely reports for department and/or federal audits;
- Shall be 18 years of age or older and have experience or received training in the following areas:
 - o Positive Behavior Support
 - o Health and Welfare
- Shall have experience or training to provide training and support to clients in the program area(s) identified in the client's Person-Centered Service Plan (PCSP).

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 2 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Individual Supported Employment/Group Supported Employment

Provider Category:

Individual

Provider Type:

Individual Supported Employment

Provider Qualifications

License (specify):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards, which include Policy 6.13.

As stipulated in DDA policy 6.13 (concerning day program provider qualifications), all providers shall meet the following qualifications:

- Demonstrate experience or knowledge in providing services to individuals with developmental disabilities;
- Have a history of working with community-based employers and/or other community entities;
- Demonstrate a method for providing services/jobs based on individual choice and interest;
- Demonstrate an understanding of and commitment to integration of individuals with developmental disabilities with people who are not disabled;
- Have experience in working cooperatively with other organizations such as the Division of Vocational Rehabilitation (DVR), schools, and other community entities;
- Shall have the administrative capabilities necessary to safe guard public funds;
- Shall maintain books, records, documents and other materials relevant to the provision of goods and services;
- Shall provide for systematic accumulation, filing and retention of timely reports for department and/or federal audits;
- Shall be 18 years of age or older and have experience or received training in the following areas:
 - o Positive Behavior Support
 - o Health and Welfare
- Shall have experience or training to provide training and support to clients in the program area(s) identified in the client's Person-Centered Service Plan (PCSP).

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Individual Supported Employment/Group Supported Employment

Provider Category:

Provider Type:

Group Supported Employment

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards, which include Policy 6.13.

As stipulated in DDA policy 6.13 (concerning day program provider qualifications), all providers shall meet the following qualifications:

- Demonstrate experience or knowledge in providing services to individuals with developmental disabilities;
- Have a history of working with community-based employers and/or other community entities;
- Demonstrate a method for providing services/jobs based on individual choice and interest;
- Demonstrate an understanding of and commitment to integration of individuals with developmental disabilities with people who are not disabled;
- Have experience in working cooperatively with other organizations such as the Division of Vocational Rehabilitation (DVR), schools, and other community entities;
- Shall have the administrative capabilities necessary to safe guard public funds;
- Shall maintain books, records, documents and other materials relevant to the provision of goods and services;
- Shall provide for systematic accumulation, filing and retention of timely reports for department and/or federal audits;
- Shall be 18 years of age or older and have experience or received training in the following areas:
 - o Positive Behavior Support
 - o Health and Welfare
- Shall have experience or training to provide training and support to clients in the program area(s) identified in the client's Person-Centered Service Plan (PCSP).

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

County

Frequency of Verification:

Every two years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service**Service Name: Individual Supported Employment/Group Supported Employment**

Provider Category:**Provider Type:****Provider Qualifications****License (specify):****Certificate (specify):****Other Standard (specify):**

Contract Standards, which include Policy 6.13.

As stipulated in DDA policy 6.13 (concerning day program provider qualifications), all providers shall meet the following qualifications:

- Demonstrate experience or knowledge in providing services to individuals with developmental disabilities;
- Have a history of working with community-based employers and/or other community entities;
- Demonstrate a method for providing services/jobs based on individual choice and interest;
- Demonstrate an understanding of and commitment to integration of individuals with developmental disabilities with people who are not disabled;
- Have experience in working cooperatively with other organizations such as the Division of Vocational Rehabilitation (DVR), schools, and other community entities;
- Shall have the administrative capabilities necessary to safe guard public funds;
- Shall maintain books, records, documents and other materials relevant to the provision of goods and services;
- Shall provide for systematic accumulation, filing and retention of timely reports for department and/or federal audits;
- Shall be 18 years of age or older and have experience or received training in the following areas:
 - o Positive Behavior Support
 - o Health and Welfare

Shall have experience or training to provide training and support to clients in the program area(s) identified in the client's Person-Centered Service Plan (PCSP).

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:****Frequency of Verification:**

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:**Service:****Alternate Service Title (if any):****HCBS Taxonomy:****Category 1:****Sub-Category 1:****Category 2:****Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

- (1) Residential habilitation services include assistance:
- (a) With personal care and supervision; and
 - (b) To learn, improve or retain social and adaptive skills necessary for living in the community.
- (2) Residential habilitation services may provide instruction and support addressing one or more of the following outcomes:
- (a) Inclusion;
 - (b) Status and Contribution;
 - (c) Relationships;
 - (d) Power and Choice;
 - (e) Health and Safety; and
 - (f) Competence.

Residential habilitation services are provided in the individual's home in which the individual has their name on the rental agreement, pays the rent and for their food, and decorates the home to their taste. Participates in preparing their meals and chooses what to eat.

ARPA funds may be expended for residential habilitation (community residential options adult & children (SOLA) (expanded supports to participants who receive residential habilitation), enhanced community residential rate).

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

State regulations stipulate:

- (1) An individual may only receive a residential habilitation service from one provider type at a time.
- (2) None of the following can be paid for under the Community Protection Waiver:
- (a) Room and board;
 - (b) The cost of building maintenance, upkeep, improvement, modifications or adaptations required to assure the health and safety of residents, or to meet the requirements of the applicable life safety code;
 - (c) Activities or supervision already being paid for by another source;
 - (d) Services provided in an individual's parents' home unless they are receiving alternative living services for a maximum of six months to transition you from their parents' home into their own home.
- (3) The following persons cannot be paid providers for residential habilitation services:
- (a) The individual's spouse;
 - (b) the individual's natural, step, or adoptive parent unless the individual's parent is certified as a residential agency per chapter 388-101 WAC (ALTSA administrative code concerning certified community residential services and support) or is employed by a certified or licensed agency qualified to provide residential habilitation services.
- (4) The initial authorization of residential habilitation services requires prior approval by the DDA regional administrator or designee.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---|
| Agency | Contracted Supported Living |
| Agency | State-Operated Living Alternatives (SOLA) |

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Statutory Service****Service Name: Residential Habilitation****Provider Category:**

Agency

Provider Type:

Contracted Supported Living

Provider Qualifications**License** (*specify*):**Certificate** (*specify*):

Chapters 388-101 and 388-101D WAC (WA administrative code concerning certified community residential services and support)

Other Standard (*specify*):**Verification of Provider Qualifications****Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every two years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Statutory Service****Service Name: Residential Habilitation****Provider Category:**

Agency

Provider Type:

State-Operated Living Alternatives (SOLA)

Provider Qualifications**License** (*specify*):**Certificate** (*specify*):

Chapters 388-101 and 388-101D WAC (WA administrative code concerning certified community residential services and support)

Other Standard (*specify*):

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every two years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Extended State Plan Service

Service Title:

Occupational Therapy

HCBS Taxonomy:

Category 1:

11 Other Health and Therapeutic Services

Sub-Category 1:

11080 occupational therapy

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (*Scope*):

Category 4:

Sub-Category 4:

Occupational therapy services are available through the waiver for adults age 21 and over when the service is not covered due to medical necessity, but is determined necessary for remedial benefit or is in excess (number of visits) of the state plan benefit. Before this therapy is offered as a waiver service, DSHS Form 13-734, Documentation of First Use of Medicaid Benefits, is used to document that clients have first accessed services to which they are entitled through the State Plan (including EPSDT).

State law stipulates: "Occupational therapy" is the scientifically based use of purposeful activity with individuals who are limited by physical injury or illness, psychosocial dysfunction, developmental or learning disabilities, or the aging process in order to maximize independence, prevent disability, and maintain health. The practice encompasses evaluation, treatment, and consultation.

Specific occupational therapy services include but are not limited to:

- Using specifically designed activities and exercises to enhance neurodevelopmental, cognitive, perceptual motor, sensory integrative, and psychomotor functioning;
- administering and interpreting tests such as manual muscle and sensory integration;
- teaching daily living skills; developing prevocational skills and play and avocational capabilities;
- designing, fabricating, or applying selected orthotic and prosthetic devices or selected adaptive equipment; and
- adapting environments for the handicapped.

These services are provided individually, in groups, or through social systems. (An example of OT provided through a social system would be therapy provided in the home environment with the involvement of family members or providers. A goal would be to incorporate therapeutic activities into the individuals natural household routine.)

State law stipulates: Occupational Therapy services must be provided by a person licensed to provide Occupational Therapy in the State of Washington. These requirements are comparable to the qualifications specified in 42 CFR 440.110 (concerning physical therapy, occupational therapy, and services for individuals with speech, hearing and language disorders).

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and

service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- The need for this service is identified during the person-centered planning process and documented in the waiver participant's person-centered service plan. OT will decrease as participant goals are achieved and methods of providing ongoing support through natural routines are determined successful.
- The services under the waiver are limited to additional services not otherwise covered under the state plan, but consistent with waiver objectives of avoiding institutionalization.
- DDA does not pay for treatment determined by DSHS to be experimental.
- The DDA assessment, DDA staff and the treating professional will determine the need for this service and the amount of service that will be documented in the PCSP:
 - o DDA reserves the right to require a second opinion from a department selected provider.
 - o State Plan benefits are limited to one Occupational Therapy evaluation at beginning of service and one evaluation at discharge per year and 24 units of Occupational Therapy (which equals approximately 6 hours) per year and up to an additional 24 units of Occupational Therapy per year with expedited prior authorization from the Health Care Authority. State Plan provides a process for limitation extension regarding the scope, amount, duration and frequency of the therapy when requested by the provider. Criteria considered by the Health Care Authority and MCO for limitation extension include: the level of improvement the client has shown to date related to the requested therapy and the reasonably calculated probability of continued improvement if the requested therapy is extended; and the reasonably calculated probability the client's condition will worsen if the requested therapy is not extended.
 - o The Provider One payment system enforces that Medicaid Benefits to which they are entitled are first accessed through the State Plan.
 - o This waiver service is only provided to individuals age 21 and over. All medically necessary Occupational Therapy services for children under age 21 are covered in the State Plan pursuant to the EPSDT benefit.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|------------------------|
| Agency | Occupational Therapist |
| Individual | Occupational Therapist |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Occupational Therapy

Provider Category:

Agency

Provider Type:

Occupational Therapist

Provider Qualifications

License (specify):

RCW 18.59.050 (State law concerning licensure requirements for occupational therapists)

Chapter 246-847 WAC (DOH administrative code concerning requirements for occupational therapists)

Certificate (*specify*):

Other Standard (*specify*):

RCW 18.59.060 (State law concerning examination requirements for occupational therapists)

Contract Standards.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Occupational Therapy

Provider Category:

Individual

Provider Type:

Occupational Therapist

Provider Qualifications

License (*specify*):

RCW 18.59.050 (State law concerning licensure requirements for occupational therapists)

Chapter 246-847 WAC (Department of Health-DOH-administrative code concerning requirements for occupational therapists)

Certificate (*specify*):

Other Standard (*specify*):

RCW 18.59.060 (State law concerning examination requirements for occupational therapists)

Contract Standards.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Extended State Plan Service

Service Title:

Physical Therapy

HCBS Taxonomy:

Category 1:

11 Other Health and Therapeutic Services

Sub-Category 1:

11090 physical therapy

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (Scope):

Category 4:

Sub-Category 4:

Physical therapy is available through the waiver for adults age 21 and over when the service is not covered due to medical necessity, but is determined necessary for remedial benefit or is in excess (number of visits) of the state plan benefit. Before this therapy is offered as a waiver service, DSHS Form 13-734, Documentation of First Use of Medicaid Benefits, is used to document that clients have first accessed services to which they are entitled through the State Plan (including EPSDT).

State law stipulates: Physical Therapy means the treatment of any bodily or mental condition of a person by the use of the physical, chemical, or other properties of heat, cold, air, light, water, electricity, sound massage, and therapeutic exercise, which includes posture and rehabilitation procedures; the performance of tests and measurements of neuromuscular function as an aid to the diagnosis or treatment of any human condition; performance of treatments on the basis of test findings after consultation with and periodic review by an authorized health care practitioner. State law stipulates: Physical Therapy services must be provided by a person licensed to provide this service in the State of Washington. These requirements are comparable to the qualifications specified in 42 CFR 440.110 (concerning physical therapy, occupational therapy, and services for individuals with speech, hearing and language disorders).

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate

community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- The need for this service is identified during the person-centered planning process and documented in the waiver participant's person-centered service plan. PT will decrease as participant goals are achieved and methods of providing ongoing support through natural routines are determined successful.
- The services under the waiver are limited to additional services not otherwise covered under the state plan, but consistent with waiver objectives of avoiding institutionalization.
- DDA does not pay for treatment determined by DSHS to be experimental;
- The DDA assessment, DDA staff and the treating professional will determine the need for this service and the amount of service that will be documented in the PCSP:
 - o DDA reserves the right to require a second opinion from a department- selected provider.
 - o State Plan benefits are limited to one Physical Therapy evaluation at beginning of service and one evaluation at discharge per year and 24 units of Physical Therapy (which equals approximately 6 hours) per year and up to an additional 24 units of Physical Therapy per year with expedited prior authorization from the Health Care Authority.
- State Plan provides a process for limitation extension regarding the scope, amount, duration and frequency of the therapy when requested by the provider. Criteria considered by the Health Care Authority and MCO for limitation extension include:
 - o the level of improvement the client has shown to date related to the requested therapy and the reasonably calculated probability of continued improvement if the requested therapy is extended; and the reasonably calculated probability the client's condition will worsen if the requested therapy is not extended.
 - o The Provider One payment system enforces that Medicaid Benefits to which they are entitled are first accessed through the State Plan.
 - o This waiver service is only provided to individuals age 21 and over. All medically necessary Physical Therapy services for children under age 21 are covered in the State Plan pursuant to the EPSDT benefit.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
☒ Relative
☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---------------------|
| Agency | Physical Therapist |
| Individual | Physical Therapist |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Physical Therapy

Provider Category:

Agency

Provider Type:

Physical Therapist

Provider Qualifications

License (*specify*):

RCW 18.74.035 (State law concerning examination for a physical therapy license).

RCW 18.74.040 (State law concerning licensure of physical therapists).

Chapter 246-915 WAC (DOH administrative code concerning requirements for Physical Therapists)

Certificate (*specify*):

Other Standard (*specify*):

RCW 18.74.030 (State law concerning minimum qualifications to apply for licensure as a physical therapist).

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Physical Therapy

Provider Category:

Individual

Provider Type:

Physical Therapist

Provider Qualifications

License (*specify*):

RCW 18.74.035 (State law concerning examination for a physical therapy license).

RCW 18.74.040 (State law concerning licensure of physical therapists).

Chapter 246-915 WAC (Department of Health-DOH-administrative code concerning requirements for Physical Therapists)

Certificate (*specify*):

Other Standard (*specify*):

RCW 18.74.030 (State law concerning minimum qualifications to apply for licensure as a physical therapist).

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:**Service Title:****HCBS Taxonomy:****Category 1:****Sub-Category 1:****Category 2:****Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Speech, hearing, and language services are available through the waiver when the service is not covered due to medical necessity but is determined necessary for remedial benefit or is in excess (number of visits) of the state plan benefit. Before this therapy is offered as a waiver service, DSHS Form 13-734, Documentation of First Use of Medicaid Benefits, is used to document that clients have first accessed services to which they are entitled through the State Plan (including EPSDT). Speech, hearing, and language services are services provided to individuals with speech hearing and language disorders by or under the supervision of a speech pathologist or audiologist. State law stipulates: "Speech-language pathology" means the application of principles, methods, and procedures related to the development and disorders, whether of organic or nonorganic origin, that impede oral, pharyngeal, or laryngeal sensorimotor competencies and the normal process of human communication including, but not limited to, disorders and related disorders of speech, articulation, fluency, voice, verbal and written language, auditory comprehension, cognition/communication, and the application of augmentative communication treatment and devices for treatment of such disorders. "Audiology" means the application of principles, methods, and procedures related to hearing and the disorders of hearing and to related language and speech disorders, whether of organic or nonorganic origin, peripheral or central, that impede the normal process of human communication including, but not limited to, disorders of auditory sensitivity, acuity, function, processing, or vestibular function, the application of aural habilitation, rehabilitation, and appropriate devices including fitting and dispensing of hearing instruments, and cerumen management to treat such disorders. State law stipulates: * Speech-language pathology and Audiology services must be provided by a person licensed to provide these services in the State of Washington. These requirements are comparable to the qualifications specified in 42 CFR 440.110 (concerning physical therapy, occupational therapy, and services for individuals with speech, hearing nad language disorders).

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way

interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- The need for this service is identified during the person-centered planning process and documented in the waiver participant's person-centered service plan.
- Speech, hearing and language services will decrease as participant goals are achieved and methods of providing ongoing support through natural routines are determined successful.
- The services under the waiver are limited to additional services not otherwise covered under the state plan, but consistent with waiver objectives of avoiding institutionalization.
- DDA does not pay for treatment determined by DSHS to be experimental;
- The DDA assessment, DDA staff and the treating professional will determine the need for this service and the amount of service that will be documented in the PCSP.
- DDA reserves the right to require a second opinion from a department-selected provider.
- State Plan benefits are limited to one Speech, Hearing and Language services evaluation at beginning of service and one evaluation at discharge per year and 6 units of Speech, Hearing and Language services (which equals approximately 6 hours) per year and up to an additional 6 units of Speech, Hearing and Language services per year with expedited prior authorization from the Health Care Authority.
- State Plan provides a process for limitation extension regarding the scope, amount, duration, and frequency of the therapy when requested by the provider.
- Criteria considered by the Health Care Authority and MCO for limitation extension include: the level of improvement the client has shown to date related to the requested therapy and the reasonably calculated probability of continued improvement if the requested therapy is extended; and the reasonably calculated probability the client's condition will worsen if the requested therapy is not extended.
- The Provider One payment system enforces that Medicaid Benefits to which they are entitled are first accessed through the State Plan.
- The State limits Speech, Hearing and Language Services in the waiver to adults who have exhausted their State Plan benefits. Children and youth under the age of 21 access this service through their State Plan EPSDT benefit.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|-----------------------------|
| Individual | Audiologist |
| Agency | Audiologist |
| Agency | Speech-Language Pathologist |
| Individual | Speech-Language Pathologist |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Speech, Hearing, and Language Services

Provider Category:

Individual

Provider Type:

Audiologist

Provider Qualifications**License** (*specify*):

RCW 18.35.080 (State law concerning certificates and licensure for speech-language pathologists and audiologists)

Certificate (*specify*):

WAC 246-828-095 (Department of Health-DOH-administrative code concerning audiology minimum standards of practice.)

Other Standard (*specify*):

RCW 18.35.040 (State law concerning licensure and examination for speech-language pathologists and audiologists).

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Extended State Plan Service****Service Name: Speech, Hearing, and Language Services****Provider Category:**

Agency

Provider Type:

Audiologist

Provider Qualifications**License** (*specify*):

RCW 18.35.080 (State law concerning certificates and licensure for speech-language pathologists and audiologists).

Certificate (*specify*):

WAC 246-828-095 (DOH administrative code concerning audiology minimum standards of practice.)

Other Standard (*specify*):

RCW 18.35.040 (State law concerning licensure and examination for speech-language pathologists and audiologists).

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Speech, Hearing, and Language Services

Provider Category:

Agency

Provider Type:

Speech-Language Pathologist

Provider Qualifications

License (*specify*):

RCW 18.35.080 (State law concerning certificates and licensure for speech-language pathologists and audiologists).

Certificate (*specify*):

WAC 246-828-105 (DOH administrative code concerning speech-language pathology minimum standards of practice.)

Other Standard (*specify*):

RCW 18.35.040 (State law concerning licensure and examination for speech-language pathologists and audiologists).

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Extended State Plan Service

Service Name: Speech, Hearing, and Language Services

Provider Category:

Individual

Provider Type:

Speech-Language Pathologist

Provider Qualifications

License (*specify*):

RCW 18.35.080 (State law concerning certificates and licensure for speech-language pathologists and audiologists).

Certificate (*specify*):

WAC 246-828-105 (DOH administrative code concerning speech-language pathology-Minimum standards of practice.)

Other Standard (*specify*):

RCW 18.35.040 (State law concerning licensure and examination for speech-language pathologists and audiologists).

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not

06/28/2023

specified in statute.

Service Title:

Assistive Technology

HCBS Taxonomy:**Category 1:**

14 Equipment, Technology, and Modifications

Sub-Category 1:

14031 equipment and technology

Category 2:**Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Items, equipment, or product systems, not related to a client's physical health, that are used to increase, maintain, or improve functional capabilities of waiver participants, or increase safety, facilitate social communication as well as supports to directly assist the participant and caregivers to select, acquire, and use the technology. Assistive Technology service is also available when a waiver participant requires a basic technology in order to receive waiver-funded remote supports during the COVID-19 pandemic when no other technology available to the participant through other resources is possible. Technology includes, tablets, switches, telephones, or other devices necessary for the client to receive remote supports from the waiver service provider. Assistive technology includes:

- (1) The evaluation of the needs of the waiver participant, including a functional evaluation in their customary environment;
- (2) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices;
- (3) Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing assistive technology devices;
- (4) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (5) Training or technical assistance for the participant and/or if appropriate, the child's or adult's family; and
- (6) Training or technical assistance for professionals, including individuals providing education and rehabilitation services, employers, or other individuals who provide services to, employ, or are otherwise involved in the assistive technology related life functions of children or adults with disabilities.

ARPA funds may be expended for assistive technology items and not internet connectivity (remote technology support).

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception

to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- 1) Assistive technology is limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization.
- 2) Clinical and support needs for assistive technology are identified in the waiver participant's DDA person-centered assessment and documented in the person-centered service plan.
- 3) Assistive technology may be authorized as a waiver service by obtaining an initial denial of funding or information showing that the technology is not covered by Medicaid or private insurance.
- 4) The Department does not pay for experimental technology.
- 5) The Department requires the waiver participant's treating professional's written recommendation regarding her/his/their need for the technology. This recommendation must take into account that:
 - a) The treating professional has personal knowledge of and experience with the requested assistive technology; and
 - b) The treating professional has recently examined the waiver participant, reviewed her/his/their medical records when applicable, and conducted a functional evaluation.
- 6) The Department may require a written second opinion from a department selected professional.
- 7) Phone cards and minutes will not be funded as part of these services.
- 8) Assistive technology requires prior approval by the DDA regional administrator or designee when \$550 or more.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☐ Relative
- ☐ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|-----------------------------|
| Agency | Rehabilitation Counselor |
| Individual | Certified Music Therapist |
| Agency | AT Purchaser |
| Individual | Rehabilitation Counselor |
| Agency | Occupational Therapist |
| Individual | AT Purchaser |
| Agency | Recreation Therapist |
| Individual | Occupational Therapist |
| Agency | Physical Therapist |
| Individual | Audiologist |
| Agency | Speech-Language Pathologist |
| Individual | Physical Therapist |
| Agency | Behavior Specialist |
| Individual | Speech-Language Pathologist |
| Agency | Certified Music Therapist |
| Individual | Behavior Specialist |
| Agency | Audiologist |
| Agency | Assistive Technology Vendor |
| Individual | Recreation Therapist |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

Rehabilitation Counselor

Provider Qualifications

License (specify):

Counseling or related licensure through the Washington State Department of Health

Certificate (specify):

Certification through the Commission on Rehabilitation Counselor Certification

Other Standard (specify):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Individual

Provider Type:

Certified Music Therapist

Provider Qualifications**License** (*specify*):

| |
|--|
| |
|--|

Certificate (*specify*):

| |
|---|
| National certification through the Certification Board for Music Therapists |
|---|

Other Standard (*specify*):

| |
|--|
| <p>Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.</p> <p>Contract language regarding provider qualifications.</p> <p>a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.</p> <p>b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.</p> <p>Washington Administrative Code (WAC)</p> <p>WAC 388-845-0420 Who is a qualified provider of assistive technology?</p> <p>The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:</p> <p>(1) Occupational therapist;</p> <p>(2) Physical therapist;</p> <p>(3) Speech and language pathologist;</p> <p>(4) Certified music therapist;</p> <p>(5) Certified recreation therapist;</p> <p>(6) Audiologist; or</p> <p>(7) Behavior specialist.</p> <p>When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.</p> |
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Verification of Provider Qualifications**Entity Responsible for Verification:**

| |
|------------------------|
| State Operating Agency |
|------------------------|

Frequency of Verification:

| |
|---------------|
| Every 3 years |
|---------------|

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

AT Purchaser

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards. Qualified contracted providers will be:

1. Compensated for the time spent purchasing or issuing payment; and
2. Reimbursed for the actual amount spent on goods or services.

All purchasing tasks performed with or without the client present will be compensated at a standardized, statewide rate.

Providers must submit an invoice or the attached tracking form to case managers to justify the amount of reimbursement they are requesting.

Providers can only make purchases and bill their time for one client at a time and must not be reimbursed for mileage.

To be reimbursed for purchases and payments made on behalf of a client, a provider must use a financial business account (e.g., credits or checks).

The State clarifies that this service provider and its employees must hold a current Washington State Business License, maintain all additional and necessary licenses required by the State, and utilize a financial business account to make the approved purchases.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Individual

Provider Type:

Rehabilitation Counselor

Provider Qualifications

License (*specify*):

Counseling or related licensure through the Washington State Department of Health

Certificate (*specify*):

Certification through the Commission on Rehabilitation Counselor Certification

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:****Frequency of Verification:****Appendix C: Participant Services**

C-1/C-3: Provider Specifications for Service

Service Type: Other Service**Service Name: Assistive Technology**

Provider Category:**Provider Type:****Provider Qualifications****License (specify):****Certificate (specify):****Other Standard (specify):**

RCW 18.598.060 (State law concerning examination requirements for occupational therapists)

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Individual

Provider Type:

AT Purchaser

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards. Qualified contracted providers will be:

1. Compensated for the time spent purchasing or issuing payment; and
2. Reimbursed for the actual amount spent on goods or services.

All purchasing tasks performed with or without the client present will be compensated at a standardized, statewide rate.

Providers must submit an invoice or the attached tracking form to case managers to justify the amount of reimbursement they are requesting.

Providers can only make purchases and bill their time for one client at a time and must not be reimbursed for mileage.

To be reimbursed for purchases and payments made on behalf of a client, a provider must use a financial business account (e.g., credits or checks).

The State clarifies that this service provider and its employees must hold a current Washington State Business License, maintain all additional and necessary licenses required by the State, and utilize a financial business account to make the approved purchases.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

Recreation Therapist

Provider Qualifications**License** (*specify*):

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Certificate (*specify*):

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| National certification through the National Council for Therapeutic Recreation Certification. Washington State Registration |
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Other Standard (*specify*):

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| Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process. |
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| Contract language regarding provider qualifications. |
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| <p>a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.</p> <p>b. Providers of specialized services must b certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.</p> |
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| Washington Administrative Code (WAC) |
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| WAC 388-845-0420 who is a qualified provider of assistive technology? |
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| The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service: |
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| <p>(1) Occupational therapist;</p> <p>(2) Physical therapist;</p> <p>(3) Speech and language pathologist;</p> <p>(4) Certified music therapist;</p> <p>(5) Certified recreation therapist;</p> <p>(6) Audiologist; or</p> <p>(7) Behavior specialist.</p> |
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| When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards. |
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Verification of Provider Qualifications**Entity Responsible for Verification:**

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| State Operating Agency |
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Frequency of Verification:

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| Every 3 years |
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Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type:** Other Service**Service Name:** Assistive Technology**Provider Category:**

Individual

Provider Type:

Occupational Therapist

Provider Qualifications**License** (*specify*):

RCW 18.59.050 (State law concerning licensure requirements for occupational therapists)

Chapter 246-847 WAC (Department of Health administrative code concerning requirements for occupational therapists)

Certificate (*specify*):**Other Standard** (*specify*):

RCW 18.598.060 (State law concerning examination requirements for occupational therapists)

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

Physical Therapist

Provider Qualifications**License** (*specify*):

RCW 18.74.040 (State law concerning examination for a physical therapy license)

RCW 18.74.040 (State law concerning licensure of physical therapists)

Chapter 2146-915 WAC (Department of Health administrative code concerning requirements for physical therapists)

Certificate (*specify*):**Other Standard** (*specify*):

RCW 18.74.030 (State law concerning minimum qualifications to apply for licensure as a physical therapist)

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Individual

Provider Type:

Audiologist

Provider Qualifications

License (*specify*):

RCW 18.35.080 State law concerning certificates and licensure for speech-language pathologists and audiologists)

Certificate (*specify*):

WAC 246-828-095 (Department of Health administrative code concerning audiology minimum standards of practice)

Other Standard (*specify*):

RCW 18.35.040 (State law concerning licensure and examination for speech-language pathologists and audiologists)

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.

b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

Speech-Language Pathologist

Provider Qualifications**License** (*specify*):

RCW 18.35.080 (State law concerning certificates and licensure for speech-language pathologists and audiologists)

Certificate (*specify*):

WAC 246-828-105 (Department of Health administrative code concerning speech-language pathology-- minimum standards of practice)

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Assistive Technology****Provider Category:**

Individual

Provider Type:

Physical Therapist

Provider Qualifications**License** (*specify*):

RCW 18.74.040 (State law concerning examination for a physical therapy license)

RCW 18.74.040 (State law concerning licensure of physical therapists)

Chapter 2146-915 WAC (Department of Health administrative code concerning requirements for physical therapists)

Certificate (*specify*):**Other Standard** (*specify*):

RCW 18.74.030 (State law concerning minimum qualifications to apply for licensure as a physical therapist)

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.

b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

Behavior Specialist

Provider Qualifications**License** (*specify*):

State licensure and certification as required for the specific discipline:

Chapter 246-809 WAC (Department of Health administrative code concerning licensure for mental health counselors, marriage and family therapists, and social workers)

Chapter 246-924 WAC (Department of Health administrative code concerning requirements to become a licensed psychologist)

Chapter 18.71 RCW (Washington state law governing physician practice and licensure)

Chapter 18.71A RCW (Washington state law concerning physician assistant practice and licensure)

Certificate (*specify*):

Chapter 18.19 RCW (Washington state law concerning counselors, including certification)

Chapter 246-810 WAC (Department of Health administrative code concerning the practice of counseling)

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Individual

Provider Type:

Speech-Language Pathologist

Provider Qualifications**License** (*specify*):

RCW 18.35.080 (State law concerning certificates and licensure for speech-language pathologists and audiologists)

Certificate (*specify*):

WAC 246-828-105 (Department of Health administrative code concerning speech-language pathology-- minimum standards of practice)

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Assistive Technology****Provider Category:**

Agency

Provider Type:

Certified Music Therapist

Provider Qualifications**License** (*specify*):**Certificate** (*specify*):

National certification through the Certification Board for Music Therapists

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.

b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Individual

Provider Type:

Behavior Specialist

Provider Qualifications**License** (*specify*):

State licensure and certification as required for the specific discipline:

Chapter 246-809 WAC (Department of Health administrative code concerning licensure for mental health counselors, marriage and family therapists, and social workers)

Chapter 246-924 WAC (Department of Health administrative code concerning requirements to become a licensed psychologist)

Chapter 18.71 RCW (Washington state law governing physician practice and licensure)

Chapter 18.71A RCW (Washington state law concerning physician assistant practice and licensure)

Certificate (*specify*):

Chapter 18.19 RCW (Washington state law concerning counselors, including certification)

Chapter 246-810 WAC (Department of Health administrative code concerning the practice of counseling)

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:**Frequency of Verification:****Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Assistive Technology****Provider Category:****Provider Type:****Provider Qualifications****License** (*specify*):**Certificate** (*specify*):**Other Standard** (*specify*):

RCW 18.35.040 (State law concerning licensure and examination for speech-language pathologists and audiologists)

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.

b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Assistive Technology

Provider Category:

Agency

Provider Type:

| |
|-----------------------------|
| Assistive Technology Vendor |
|-----------------------------|

Provider Qualifications**License** (*specify*):

| |
|--|
| Chapter 19.02 RCS (State law concerning business licenses) |
|--|

Certificate (*specify*):

| |
|--|
| |
|--|

Other Standard (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.

b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 Who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

| |
|------------------------|
| State Operating Agency |
|------------------------|

Frequency of Verification:

| |
|---------------|
| Every 3 years |
|---------------|

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Assistive Technology****Provider Category:**

Individual

Provider Type:

Recreation Therapist

Provider Qualifications**License** (*specify*):**Certificate** (*specify*):National certification through the National Council for Therapeutic Recreation Certification.
Washington State Registration**Other Standard** (*specify*):

Contract Standards. All DDA/DSHS contracts include the following standards: contract definitions, contract purpose, provider qualifications, statement of work, consideration, billing and payment process, background check process, drug free workplace, duty to report suspected abuse, duty to report unusual incidents and contract dispute resolution process.

Contract language regarding provider qualifications.

- a. The Contractor shall be a legal business entity legitimately engaged in the business of provision of specialized good and services as outlined in attachment A. Vendors of specialized services must maintain a business license required by law for the type of product provided and contracted for with DDA. Contractors located in the state of Washington must have a Universal business Identifier and Master Business License, as issued by the state Department of revenue. Out of state contractors must possess a Universal business Identifier and Master Business License only when it is required by Washington State law.
- b. Providers of specialized services must be certified, registered, or licensed therapists as required by law and contracted with DDA for the therapy they are providing.

Washington Administrative Code (WAC)

WAC 388-845-0420 who is a qualified provider of assistive technology?

The provider of assistive technology must be an assistive technology vendor contracted with DDA or one of the following professionals contracted with DDA and duly licensed, registered or certified to provide this service:

- (1) Occupational therapist;
- (2) Physical therapist;
- (3) Speech and language pathologist;
- (4) Certified music therapist;
- (5) Certified recreation therapist;
- (6) Audiologist; or
- (7) Behavior specialist.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not

specified in statute.

Service Title:

Community Transition

HCBS Taxonomy:

Category 1:

16 Community Transition Services

Sub-Category 1:

16010 community transition services

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (Scope):

Category 4:

Sub-Category 4:

Community transition services are reasonable costs (necessary expenses in the judgment of the state for an individual to establish his or her basic living arrangement) associated with moving from an institutional setting, facility-based setting (e.g., group home, licensed staff residential) or provider-owned or controlled setting (e.g., companion home) to a home where the individual is directly responsible for housing and associated utility payments and receiving services from a DDA certified residential habilitation services provider.

- Community transition services include:
 - o Security deposits (not to exceed the equivalent of two month's rent) that are required to obtain a lease on an apartment or home;
 - o Essential furnishings such as a bed, a table, chairs, window blinds, eating utensils and food preparation items;
 - o Moving expenses required to occupy and use a community domicile;
 - o Set-up fees or deposits for utility or service access (e.g., telephone, electricity, heating); and
 - o Health and safety assurances, such as pest eradication, allergen control or one-time cleaning prior to occupancy.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Community transition services do not include:

- Diversional or recreational items such as televisions, cable TV access, VCRs, MP3, CD or DVD players
- Computers whose use is primarily diversional or recreational.
- Community transition services are available only to individuals that are moving from an institution, facility-based setting (e.g., group home, licensed staff residential), provider operated setting (e.g., companion home), or private residence (e.g., parents' home) to a community setting (i.e., their own residence).
- Rent assistance is not available as a community transition service.
- Expenditures above \$1,500 for community transition are allowed only by exception.

The State currently specifies that the service is only provided when an individual transitions from an institution or provider owned/controlled setting to one in which she/he/they is directly responsible for rent/utility costs.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
☐ Relative
☐ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|-----------------------------------|
| Agency | Residential Habilitation Provider |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Community Transition

Provider Category:

Agency

Provider Type:

Residential Habilitation Provider

Provider Qualifications

License (specify):

Certificate (specify):

Other Standard (specify):

Refer to provider types and qualifications listed under Residential Habilitation.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Environmental Adaptations

HCBS Taxonomy:

Category 1:

14 Equipment, Technology, and Modifications

Sub-Category 1:

14020 home and/or vehicle accessibility adaptations

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (Scope):

Category 4:

Sub-Category 4:

Environmental adaptations provide physical adaptations to the existing home and existing rooms within the home required by the individual's person-centered service plan needed to allow an individual to physically access their home when those adaptations are not covered under the Medicaid state plan. Adaptations are needed to:

- (a) Ensure the health, welfare and safety of the individual; or
- (b) Enable the individual who would otherwise require institutionalization to function with greater independence in the home.

Environmental adaptations may include the installation of ramps and grab bars, widening of doorways, modification of bathroom facilities, or installing specialized electrical and/or plumbing systems necessary to accommodate the medical equipment and supplies that are necessary for the welfare of the individual.

Repairs to the home necessary due to property destruction caused by the participant; limited to the cost of restoration to original condition.

DDA reserves the right to repair/replace with the most cost-effective/code compliant items that meet the client's need(s).

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

The following service limitations apply to environmental adaptations:

- Prior approval by DDA is required
- One bid is required for adaptations costing one thousand five hundred dollars or less.
- Two bids are required for adaptations costing more than one thousand five hundred dollars and equal to or less than five thousand dollars.
- Three bids are required for adaptations costing more than five thousand dollars.
- Environmental adaptations or improvements to the home are excluded if they are of general utility without direct medical or remedial benefit to the individual, such as carpeting, roof repair, central air conditioning, etc.
- Environmental adaptations cannot add to the total square footage of the home.
- Environmental adaptations do not include fences.
- DDA may require an occupational therapist, physical therapist, or other qualified professional to recommend an appropriate environmental adaptation
- Environmental adaptations must meet all local and state building codes.
- A deteriorated condition of the existing home, other construction work in process or location of home in a flood plain, landslide zone or other hazardous site may limit or prevent adaptations approved by DDA.
- Environmental adaptations are limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization.
- Environmental Adaptations may not exceed \$12,192.00 per plan year.
- These services may not be furnished to individuals who receive residential habilitation services except when such services are furnished in the participant's own home.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|-----------------------|
| Individual | Registered Contractor |
| Agency | Registered Contractor |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Environmental Adaptations

Provider Category:

Individual

Provider Type:

Registered Contractor

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Chapter 18.27 RCW (State law concerning the registration of contractor)
Chapter 19.27 RCW (State law concerning the State Building Code)

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Environmental Adaptations

Provider Category:

Agency

Provider Type:

Registered Contractor

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Chapter 18.27 RCW (State law concerning the registration of contractor)
Chapter 19.27 RCW (State law concerning the State Building Code)

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

HCBS Taxonomy:**Category 1:**

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (Scope):**Category 4:**

Sub-Category 4:

Extermination of bed bugs is the professional extermination of bedbugs in a waiver participant's primary residence for clients:

- a) living in their own private house or apartment and are responsible for their own rent or mortgage; or
- b) those who live with a non-relative primary caregiver.

Extermination services includes only:

- a) assessment or inspection
- b) application of chemical-based pesticide or heat treatment
- c) 1 follow up visit

Bed bug infestations can cause a number of health effects including skin rashes, psychological effects including anxiety, stress, insomnia and allergic symptoms that may render a waiver participant's residence uninhabitable. The cost of bed bug treatment is likely to be unaffordable for waiver participants on SSI.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Extermination of bed bugs is limited to 2 treatments per plan year and excludes lodging during the chemical eradication or heat treatment process and associated preparatory housework.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person

☒ Relative☒ Legal Guardian**Provider Specifications:**

| Provider Category | Provider Type Title |
|-------------------|---------------------------------|
| Individual | Commercial Pesticide Applicator |
| Agency | Commercial Pesticide Applicator |

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Extermination of Bed Bugs****Provider Category:**

Individual

Provider Type:

Commercial Pesticide Applicator

Provider Qualifications**License** (*specify*):

RCW 17.21.070 (State law concerning commercial pesticide applicator license)

Certificate (*specify*):**Other Standard** (*specify*):

WAC 16-228-1545 (WA State Department of Agriculture administrative code regarding requirements for commercial pesticide applicators)

Contract Standards

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Extermination of Bed Bugs****Provider Category:**

Agency

Provider Type:

Commercial Pesticide Applicator

Provider Qualifications

License (*specify*):

RCW 17.21.070 (State law concerning commercial pesticide applicator license)

Certificate (*specify*):

Other Standard (*specify*):

WAC 16-228-1545 (WA State Department of Agriculture administrative code regarding requirements for commercial pesticide applicators)

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Individualized Technical Assistance

HCBS Taxonomy:

Category 1:

03 Supported Employment

Sub-Category 1:

03021 ongoing supported employment, individual

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (*Scope*):

Category 4:

Sub-Category 4:

Individualized technical assistance is short term professional assessment and consultation to the employment provider and/or waiver participant to identify, address, and resolve barriers to employment. This is in addition to supports received through supported employment for individuals who have not yet achieved their goal.

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether

remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- 1) Individualized technical assistance may be authorized for up to 6 months of the plan year.
- 2) The individual must be receiving supported employment unless otherwise approved by the administration.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|--|
| Agency | County - Individualized Technical Assistance |
| Agency | County - Individualized Technical Assistance |
| Agency | Individualized Technical Assistance |
| Individual | individualized Technical Assistance |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Individualized Technical Assistance

Provider Category:

Agency

Provider Type:

County - Individualized Technical Assistance

Provider Qualifications**License** (*specify*):
Certificate (*specify*):
Other Standard (*specify*):

Contract Standards

As stipulated in DDA policy concerning ITA provider qualifications), all providers shall meet the following qualifications:

D. Service providers must meet the following qualifications:

1. Ability to comply with all contractual requirements.
2. Have proof of criminal history background clearance in accordance with RCW 43.43.830-845 and RCW 74.15.030.

DDA requires the DSHS Background Check Central Unit (BCCU) be used to obtain background clearances;

3. Exhibit ability to successfully develop and implement a plan for providing services related to the employment barrier that is based on the individual needs;
4. Assurance that potential conflicts of interest will not arise. Such a conflict will arise when the Individualized Technical Assistance provider is a guardian, a family member, a legal representative or other decision maker for the client. In this situation, the provider must document the measures taken specific to the situation to assure that a conflict of interest does not exist; and
5. Provide proof of training or have confirmed knowledge of the following areas as applicable:
 - a. Client confidentiality;
 - b. DDA Policy 5.06, Client Rights;
 - c. DDA Policy 6.08, Mandatory Reporting Requirements Services Providers;
 - d. DDA Policy 4.11, County Services for Working Age Adults;
 - e. DDA Policy 15.03, Community Protection Standards for Employment and Day Program Services;
 - f. DDA Policy 5.17, Physical Intervention Techniques;
 - g. DDA Policy 5.14, Positive Behavior Support; and
 - h. DDA Policy 5.15, Use of Restrictive Procedures.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Frequency of Verification:

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type:** Other Service**Service Name:** Individualized Technical Assistance**Provider Category:**

Provider Type:

County - Individualized Technical Assistance

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

As stipulated in DDA policy concerning ITA provider qualifications), all providers shall meet the following qualifications:

D. Service providers must meet the following qualifications:

1. Ability to comply with all contractual requirements.
2. Have proof of criminal history background clearance in accordance with RCW 43.43.830-845 and RCW 74.15.030.

DDA requires the DSHS Background Check Central Unit (BCCU) be used to obtain background clearances;

3. Exhibit ability to successfully develop and implement a plan for providing services related to the employment

barrier that is based on the individual needs;

4. Assurance that potential conflicts of interest will not arise. Such a conflict will arise when the Individualized

Technical Assistance provider is a guardian, a family member, a legal representative or other decision maker for the

client. In this situation, the provider must document the measures taken specific to the situation to assure that a

conflict of interest does not exist; and

5. Provide proof of training or have confirmed knowledge of the following areas as applicable:

- a. Client confidentiality;
- b. DDA Policy 5.06, Client Rights;
- c. DDA Policy 6.08, Mandatory Reporting Requirements Services Providers;
- d. DDA Policy 4.11, County Services for Working Age Adults;
- e. DDA Policy 15.03, Community Protection Standards for Employment and Day Program

Services;

f. DDA Policy 5.17, Physical Intervention Techniques;

g. DDA Policy 5.14, Positive Behavior Support; and

h. DDA Policy 5.15, Use of Restrictive Procedures.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 2 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Individualized Technical Assistance

Provider Category:

Agency

Provider Type:

Individualized Technical Assistance

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

As stipulated in DDA policy concerning ITA provider qualifications), all providers shall meet the following qualifications:

D. Service providers must meet the following qualifications:

1. Ability to comply with all contractual requirements.
2. Have proof of criminal history background clearance in accordance with RCW 43.43.830-845 and RCW 74.15.030.

DDA requires the DSHS Background Check Central Unit (BCCU) be used to obtain background clearances;

3. Exhibit ability to successfully develop and implement a plan for providing services related to the employment

barrier that is based on the individual needs;

4. Assurance that potential conflicts of interest will not arise. Such a conflict will arise when the Individualized

Technical Assistance provider is a guardian, a family member, a legal representative or other decision maker for the

client. In this situation, the provider must document the measures taken specific to the situation to assure that a

conflict of interest does not exist; and

5. Provide proof of training or have confirmed knowledge of the following areas as applicable:

a. Client confidentiality;

b. DDA Policy 5.06, Client Rights;

c. DDA Policy 6.08, Mandatory Reporting Requirements Services Providers;

d. DDA Policy 4.11, County Services for Working Age Adults;

e. DDA Policy 15.03, Community Protection Standards for Employment and Day Program

Services;

f. DDA Policy 5.17, Physical Intervention Techniques;

g. DDA Policy 5.14, Positive Behavior Support; and

h. DDA Policy 5.15, Use of Restrictive Procedures.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

County

Frequency of Verification:

Every two years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service**

Service Type: Other Service

Service Name: Individualized Technical Assistance

Provider Category:

Individual

Provider Type:

individualized Technical Assistance

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

As stipulated in DDA policy concerning ITA provider qualifications), all providers shall meet the following qualifications:

D. Service providers must meet the following qualifications:

1. Ability to comply with all contractual requirements.
2. Have proof of criminal history background clearance in accordance with RCW 43.43.830-845 and RCW 74.15.030.
DDA requires the DSHS Background Check Central Unit (BCCU) be used to obtain background clearances;
3. Exhibit ability to successfully develop and implement a plan for providing services related to the employment barrier that is based on the individual needs;
4. Assurance that potential conflicts of interest will not arise. Such a conflict will arise when the Individualized Technical Assistance provider is a guardian, a family member, a legal representative or other decision maker for the client. In this situation, the provider must document the measures taken specific to the situation to assure that a conflict of interest does not exist; and
5. Provide proof of training or have confirmed knowledge of the following areas as applicable:
 - a. Client confidentiality;
 - b. DDA Policy 5.06, Client Rights;
 - c. DDA Policy 6.08, Mandatory Reporting Requirements Services Providers;
 - d. DDA Policy 4.11, County Services for Working Age Adults;
 - e. DDA Policy 15.03, Community Protection Standards for Employment and Day Program Services;
 - f. DDA Policy 5.17, Physical Intervention Techniques;
 - g. DDA Policy 5.14, Positive Behavior Support; and
 - h. DDA Policy 5.15, Use of Restrictive Procedures.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:**HCBS Taxonomy:****Category 1:****Sub-Category 1:****Category 2:****Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

New enrollment into this service ends September 1st, 2021. (Transition allowable per ARPA SMD #21-003 as the Positive Behavior Support transition to other habilitative services began in 2017 and changes are required to comply with 1915(c) requirements of not duplicating or replacing available state plan benefits) At the time of annual assessment, clients will be transitioned to either state plan benefits for treatment of diagnosed medical issues or to Specialized Evaluation and Consultation when their needs are habilitative in nature. Positive Behavior Support will end for all waiver participants on September 1st, 2023.

Positive behavior support and consultation services provide individualized strategies and supports to promote positive behavior interactions between the individual and their family, friends, community and employer. Individualized behavioral strategies and supports are provided to family and/or providers to promote a consistent and effective ways of interacting and engaging the individual in their environment. Techniques, strategies and supports are implemented to promote effective communication skills and appropriate behaviors of the individual in order to get their needs met.

State regulations stipulate that:

(1) Positive behavior support and consultation may be provided to persons on the waiver and include the development and implementation of programs designed to support waiver participants using:

- (a) Strategies for effectively relating to caregivers and other people in the waiver participant's life; and
- (b) Direct interventions with the person to decrease aggressive, destructive, and sexually inappropriate or other behaviors that compromise their ability to remain in the community (i.e., training, specialized cognitive counseling).

These services are only covered under the waiver when they are outside the definition of service available through the Medicaid State Plan and EPSDT or the child does not meet access to care definitions(i.e., via the Behavioral Health Organizations (BHOs)). It is anticipated some waiver clients will not be eligible for these services under the Medicaid State Plan, since an individual must have a mental health (MH) diagnosis to receive mental health State Plan services. A MH diagnosis is not a requirement for enrollment on the Waiver program.

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive. Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote

client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

State regulations stipulate that:

- (1) The need for this service is identified during the person-centered planning process and documented in the waiver participant's person-centered service plan, subject to the limitations in subsection (2) below.
- (2) DDA reserves the right to require a second opinion from a department selected provider.

These services under the Community Protection waiver are limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization. DDA is collaborating closely with the Health Care Authority to assure that all waiver participants under 21 years of age are accessing Applied Behavior Analysis (ABA) services through the State Plan prior to receiving Positive Behavior Support and Consultation and Stabilization Services through the waiver.

These services are only covered under the waiver when they are outside the definition of service available through the Medicaid State Plan and EPSDT or the child does not meet access to care definitions(i.e., via the Behavioral Health Organization (BHO)). It is anticipated some waiver participants will not be eligible for these services under the Medicaid State Plan, since an individual must have a mental health (MH) diagnosis to receive mental health State Plan services. A MH diagnosis is not a requirement for enrollment on the Waiver program.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---|
| Individual | Physician assistant working under the supervision of a psychiatrist |
| Individual | Psychologist |
| Individual | Marriage and family therapist |
| Individual | Sex offender treatment provider |
| Individual | Mental health counselor |
| Agency | Positive Behavior Support Provider |
| Individual | Psychiatric advanced registered nurse practitioner (ARNP) |
| Individual | Registered nurse (RN) or licensed practical nurse (LPN) |
| Individual | Social Worker |
| Individual | Registered or certified counselor |
| Individual | Psychiatrist |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Physician assistant working under the supervision of a psychiatrist

Provider Qualifications**License** (*specify*):

Chapter 18.71A RCW (DOH administrative code concerning requirements for Physician Assistants)

Certificate (*specify*):**Other Standard** (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Positive Behavior Support and Consultation****Provider Category:**

Individual

Provider Type:

Psychologist

Provider Qualifications**License** (*specify*):

Chapter 246-924 WAC (DOH administrative code concerning requirements for Psychologists)

Certificate (*specify*):**Other Standard** (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Marriage and family therapist

Provider Qualifications

License (*specify*):

Chapter 246-809 WAC (Department of Health-DOH-administrative code concerning licensure for mental health counselors, marriage and family therapists, and social workers)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Sex offender treatment provider

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapter 246-930 WAC (DOH administrative code concerning requirements for Sex Offender Treatment Provider)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Mental health counselor

Provider Qualifications

License (*specify*):

Chapter 246-809 WAC (DOH administrative code concerning licensure for mental health counselors, marriage and family therapists, and social workers)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Positive Behavior Support and Consultation****Provider Category:**

Agency

Provider Type:

Positive Behavior Support Provider

Provider Qualifications**License (specify):****Certificate (specify):****Other Standard (specify):**

An agency could employ any of the individual provider types listed above and the employees must meet the qualifications listed.

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Psychiatric advanced registered nurse practitioner (ARNP)

Provider Qualifications

License (*specify*):

RCW 18.79.050 (DOH administrative code concerning Advanced registered nursing practice and exceptions)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Registered nurse (RN) or licensed practical nurse (LPN)

Provider Qualifications

License (*specify*):

Chapter 246-840 WAC (DOH administrative code concerning requirements for Practical and Registered Nursing)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Social Worker

Provider Qualifications

License (*specify*):

Chapter 246-809 WAC (DOH administrative code concerning licensure for mental health counselors, marriage and family therapists, and social workers)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Registered or certified counselor

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapter 246-810 WAC (DOH administrative code concerning requirements for counselors)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Positive Behavior Support and Consultation

Provider Category:

Individual

Provider Type:

Psychiatrist

Provider Qualifications

License (*specify*):

Chapter 18.71 RCW (DOH administrative code concerning requirements for Physicians)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Risk Assessment

HCBS Taxonomy:

Category 1:

17 Other Services

Sub-Category 1:

17990 other

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

Service Definition (Continued)

Risk Assessments are professional evaluations of violent, stalking, sexually violent, predatory and/or opportunistic behavior to determine what person-centered, rehabilitative supports are necessary to successfully support the person to participate in their community. Risks Assessments funded by DDA are never used by courts for sentencing purposes and are never used in order to restrict a person from living in an integrated community setting.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- 1) Clinical and support needs for risk assessments are identified in the waiver participant's DDA person-centered assessment and documented in her/his/their person-centered service plan;
- 2) Prior approval is required by DDA for this service. This provides appropriate oversight of service utilization.
- (3) Limits are determined by the person-centered service planning process.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☐ Relative
- ☐ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---------------------|
| Agency | Risk Assessor |
| Individual | Risk Assessor |

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Risk Assessment****Provider Category:**

Agency

Provider Type:

Risk Assessor

Provider Qualifications**License** (specify):
Certificate (specify):
Other Standard (specify):

Contract Standards. The State clarifies that this service provider must be a licensed psychologist, certified sexual offender treatment provider, or other provider identified in chapter 388-845 WAC and adhere to the standards in Title 18 RCW if applicable.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service**

Service Type: Other Service

Service Name: Risk Assessment

Provider Category:

Individual

Provider Type:

Risk Assessor

Provider Qualifications**License (specify):****Certificate (specify):****Other Standard (specify):**

Contract Standards. The State clarifies that this service provider must be a licensed psychologist, certified sexual offender treatment provider, or other provider identified in chapter 388-845 WAC and adhere to the standards in Title 18 RCW if applicable.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Skilled Nursing

HCBS Taxonomy:**Category 1:**

05 Nursing

Sub-Category 1:

05020 skilled nursing

Category 2:**Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

- Waiver Skilled Nursing provides chronic, long-term nursing services to address needs that are not met through nursing services available in the Medicaid State Plan, including Early and Periodic Screening, Diagnosis and Treatment.
- This waiver service is only provided to individuals age 21 and over with an exception for nurse delegation only when nurse delegation is not covered under the Medicaid state plan, including EPSDT.
- All medically necessary services for children under age 21 are covered in the state plan pursuant to the EPSDT benefit.
- Skilled nursing is limited by: prior approval by DDA and skilled nursing hours are determined by DDA Nursing Care Consultant's skilled nursing assessment.
- Skilled nursing services under the waiver differ in nature, scope, supervision arrangements, or provider type (including provider training and qualifications) from skilled nursing services in the State plan.
- Services include nurse delegation services provided by a registered nurse, including the initial visit, follow up instruction, and/or supervisory visits.
- Services listed in the person-centered service plan of care must be within the scope of the State's Nurse Practice Act.
- Skilled nursing services under the waiver differ in nature, scope, supervision arrangements, or provider type (including provider training and qualifications) from skilled nursing services in the State plan.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

The following limitations apply to receipt of skilled nursing services:

- Skilled nursing services require prior approval by DDA.
- Skilled nursing hours must not exceed the number of hours determined by the DDA Nursing Care Consultant's skilled nursing assessment.
- Nurse delegation is an intermittent service. The Registered Nurse Delegator is required to visit and provide supervision to the registered or certified nursing assistant (NAR/CNA) at least once every ninety (90) days. If providing diabetic training, the RND must visit the individual at least once a week for the first four (4) weeks. However, the RND may determine that some clients need to be seen more often.
- Skilled nursing (not including nurse delegation) is only provided to individuals age 21 and over. All medically necessary skilled nursing for children under age 21 are covered in the State Plan pursuant to the EPSDT benefit.
- The department reserves the right to require a second opinion by a department-selected provider.
- The rate for skilled nursing services is based on fee schedule. All payments are made directly from the single state agency to the provider of service.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---------------------|
| Individual | LPN Skilled Nursing |
| Individual | RN Skilled Nursing |
| Agency | RN Skilled Nursing |
| Agency | LPN Skilled Nursing |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Skilled Nursing

Provider Category:

Individual

Provider Type:

LPN Skilled Nursing

Provider Qualifications

License (*specify*):

Chapter 246-840 WAC (DOH administrative code concerning requirements for practical and registered nursing)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service**

Service Type: Other Service

Service Name: Skilled Nursing

Provider Category:

Individual

Provider Type:

RN Skilled Nursing

Provider Qualifications**License** (*specify*):

Chapter 246-840 WAC (Department of Health-DOH-administrative code concerning requirements for practical and registered nursing)

Certificate (*specify*):**Other Standard** (*specify*):

Contract standards

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service**

Service Type: Other Service

Service Name: Skilled Nursing

Provider Category:

Agency

Provider Type:

RN Skilled Nursing

Provider Qualifications

License (*specify*):

Chapter 246-840 WAC (DOH administrative code concerning requirements for practical and registered nursing)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Skilled Nursing

Provider Category:

Agency

Provider Type:

LPN Skilled Nursing

Provider Qualifications

License (*specify*):

Chapter 246-840 WAC (DOH administrative code concerning requirements for practical and registered nursing)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Specialized Equipment and Supplies

HCBS Taxonomy:

Category 1:

14 Equipment, Technology, and Modifications

Sub-Category 1:

14031 equipment and technology

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Service Definition (Scope):

Category 4:

Sub-Category 4:

Specialized equipment and supplies are durable or non-durable medical and non-medical equipment or supplies necessary to prevent institutionalization, not available under the Medicaid state plan, or in excess of what is available, that enables individuals to:

- (a) Increase their abilities to perform their activities of daily living; or
- (b) Perceive, control or communicate with the environment in which they live; or
- (c) Improve daily functioning through sensory integration.

This service also includes items necessary for life support; ancillary supplies and equipment necessary to the proper functioning of such items. Specialized equipment and supplies may include mobility devices, sensory regulation items, bathroom equipment, peri-care wipes, safety supplies, and other medical supplies not otherwise available on the Medicaid state plan, home health benefit or EPSDT.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- (1) Specialized equipment and supplies are limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization.
- (2) Habilitative support needs for specialized equipment and supplies are identified in the waiver participant's DDA person-centered assessment and documented in her/his person-centered service plan.
- (3) Specialized equipment and supplies require prior approval by the DDA Regional Administrator or designee when \$550 or more.
- (4) DDA reserves the right to require a second opinion by a department-selected provider.
- (5) Items paid for with waiver funds shall be in addition to any medical equipment and supplies furnished under the Medicaid state plan, private insurance, or other available programs.
- (6) Items must be of direct medical or remedial benefit to the individual and necessary as a result of the individual's disability.
- (7) Medications, prescribed or non-prescribed, and vitamins are excluded.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---|
| Individual | Specialized Equipment and Supplies Provider |
| Individual | Shopper |
| Agency | Shopper |
| Agency | Specialized Equipment and Supplies Provider |

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type:** Other Service**Service Name:** Specialized Equipment and Supplies**Provider Category:**

Individual

Provider Type:

Specialized Equipment and Supplies Provider

Provider Qualifications**License** (*specify*):

Chapter 19.02 RCW (Washington state law concerning business licenses)

Certificate (*specify*):**Other Standard** (*specify*):

contract standards

Verification of Provider Qualifications**Entity Responsible for Verification:**

State operating agency

Frequency of Verification:

every three years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Specialized Equipment and Supplies****Provider Category:**

Individual

Provider Type:

Shopper

Provider Qualifications**License (specify):****Certificate (specify):****Other Standard (specify):**

Contract Standards. The State clarifies that this service provider and its employees must hold a current Washington State Business License, maintain all additional and necessary licenses required by the State, and utilize a financial business account to make the approved purchases.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Specialized Equipment and Supplies****Provider Category:**

Agency

Provider Type:

Shopper

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards. The State clarifies that this service provider and its employees must hold a current Washington State Business License, maintain all additional and necessary licenses required by the State, and utilize a financial business account to make the approved purchases.

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Specialized Equipment and Supplies

Provider Category:

Agency

Provider Type:

Specialized Equipment and Supplies Provider

Provider Qualifications

License (*specify*):

Chapter 19.02 RCW (State law concerning business licenses)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:**HCBS Taxonomy:****Category 1:****Sub-Category 1:****Category 2:****Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Specialized Evaluation and Consultation provides direct, individualized, habilitative, skill building support in the areas of sex education, fire safety, social skills training and understandings of laws, rights and responsibilities in order to support a client to reduce the likelihood of fire setting, sexual or physical assault in the home and community to increase engagement and participation in the community. Support may be provided in an individual or group setting and includes a special needs evaluation to identify client goals and the specific support needs in order to reach those goals.

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive.

Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person

service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Specialized Evaluation and Consultation is limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization. This service may not replace 1:1, group or other treatments to address a mental health condition which are provided by Medicaid State Plan services. Service amount eligibility is approved by the Developmental Disabilities Administration based on the needs identified in the Person-Centered Service Plan from information gathered from the client, provider and others involved in service planning.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☐ Relative
- ☐ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|--|
| Agency | Specialized Evaluation and Consultation Provider |
| Individual | Specialized Evaluation and Consultation Provider |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Specialized Evaluation and Consultation

Provider Category:

Provider Type:**Provider Qualifications****License (specify):****Certificate (specify):****Other Standard (specify):**

Contract Standards. All Specialized Evaluation and Consultation providers shall be licensed, registered, or certified in Washington State according to the standards of their approved profession in Title 18 RCW or have Bachelor's degree or higher in social services and have at least three years of prior experience working with individuals with developmental disabilities who have challenging behaviors.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:****Frequency of Verification:**

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service**Service Name: Specialized Evaluation and Consultation****Provider Category:****Provider Type:****Provider Qualifications****License (specify):****Certificate (specify):**

Other Standard (specify):

Contract Standards. All Specialized Evaluation and Consultation providers shall be licensed, registered, or certified in Washington State according to the standards of their approved profession in Title 18 RCW or have Bachelor's degree or higher in social services and have at least three years of prior experience working with individuals with developmental disabilities who have challenging behaviors.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Stabilization Services - Crisis Diversion Bed

HCBS Taxonomy:**Category 1:**

10 Other Mental Health and Behavioral Services

Sub-Category 1:

10030 crisis intervention

Category 2:**Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Crisis diversion beds are available to individuals determined by DDA to be at risk of institutionalization. Crisis diversion beds may be provided in a client's home, licensed, or certified setting. Crisis diversion beds are short-term residential habilitation supports provided by trained specialists and include direct care, supervision, or monitoring, habilitative supports, referrals, and consultation. This service is limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization. Short-term is designed to reflect a temporary, multiple day or multiple week time frame. Individualized person-centered planning identifies the minimally necessary time for a participant to be stabilized and returned to their own home, if an out of home setting is required, without a specific time limit. The need for this service is identified during the person-centered planning process and is documented in the waiver participant's person-centered service plan. Individualized person-centered planning identifies the minimally necessary time for a participant to be stabilized and returned to their own home, if an out of home setting is required, without a specific time limit. It is anticipated some waiver clients will not be eligible for these services under the Medicaid State Plan, since an individual must have a mental health (MH) diagnosis to receive mental health State Plan services. A MH diagnosis is not a requirement for enrollment in waiver services. DDA works closely with the Behavioral Health Administration (BHA) and the Health Care Authority to prevent duplication of BHO/State Plan MH Services. DSHS's expectation is that any DDA eligible client who meets the BHA, MCO or HCA access to care or medical necessity standards will receive behavioral health services through their health plans. Community mental health services are provided through Behavioral Health Organizations, FFS Medicaid or Managed care Organizations, which carry out the contracting for local mental health care. Individuals with primary diagnoses and functional impairments that are only a result of developmental or intellectual disability are not eligible for behavioral health waiver services. As a result, individuals with these support needs must display an additional covered diagnosis and a medically necessary support need in order to be served through the behavioral health system. Individuals that do not meet access to care or medical necessity standards for the service type may be served under stabilization services.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

The duration and amount of services needed to stabilize the individual in crisis is determined by DDA with consultation from a behavioral health professional. Stabilization Services - Crisis Diversion Bed is limited to additional services not otherwise covered under the state plan, but consistent with the waiver objectives of avoiding institutionalization. "Short-term" reflects the fact that these services are not provided on an on-going basis. They are provided to individuals who are experiencing a crisis and are at risk of hospitalization. Once the crisis situation is resolved and the individual is stabilized, Stabilization services will be terminated.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---|
| Agency | Crisis Diversion Bed Provider (Supported Living Agency) |
| Agency | Crisis Diversion Bed Provider (Other department-certified agencies) |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services - Crisis Diversion Bed

Provider Category:

Agency

Provider Type:

Crisis Diversion Bed Provider (Supported Living Agency)

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapters 388-101 and 388-101 WAC (ADSA administrative code concerning requirements for certified community residential services and support)

Other Standard (*specify*):

Contract Standards

DDA Policy 15.04 (concerning standards for community protection residential services (applicable only if they serve CP clients).

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every two years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services - Crisis Diversion Bed

Provider Category:

Agency

Provider Type:

Crisis Diversion Bed Provider (Other department-certified agencies)

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapters 388-101 and 388-101 WAC (ALTSA administrative code concerning requirements for certified community residential services and support)

Other Standard (*specify*):

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:**Frequency of Verification:****Appendix C: Participant Services****C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:**HCBS Taxonomy:****Category 1:****Sub-Category 1:****Category 2:****Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Stabilization Services-Specialized Habilitation is short term individualized and community-based support when a client is experiencing crisis to assist the waiver participant to reach an identified habilitative goal to promote inclusion in their homes and communities to avoid immediate institutionalization.

Specialized Habilitation offers teaching and training to a waiver participant to learn or maintain skills in:

- Self-empowerment (such as becoming more aware of strengths and weaknesses and therefore becoming better equipped to deal with problems)
- Safety awareness and self-advocacy (such as learning skills for safety awareness or how to recognize and report abuse, neglect or exploitation)
- Interpersonal skills and effective communication (such as avoiding or mitigating inappropriate peer pressure)
- Coping strategies regarding typical life challenges (such as acclimating to a new family member or roommate)
- Managing daily tasks and acquiring adaptive skills (such as selecting appropriate outfits for various work and social occasions)

Stabilization Services – Specialized Habilitation is a distinct and separate service from Specialized Habilitation, appears in PCSPs separately, is authorized separately and has an unique and separate billing code.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- Stabilization services – Specialized Habilitation are intermittent and temporary.
- The need for this service is identified during the person-centered planning process and documented in the waiver participant's person-centered service plan.
- Once the crisis situation is resolved and the individual is stabilized, stabilization services will be terminated.
- Any ongoing need for Specialized Habilitation services will be met under the stand-alone Specialized Habilitation services category for eligible clients.
- Individuals receiving Residential Habilitation will receive ongoing habilitation support from their residential habilitation services provider.
- The services under the waiver are limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☐ Relative
- ☐ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|--------------------------|
| Agency | Specialized Habilitation |
| Individual | Specialized Habilitation |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services- Specialized Habilitation

Provider Category:

Agency

Provider Type:

Specialized Habilitation

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

- a. The contractor must be a Life Skills Coach with current and valid certification, or have a Bachelor's, Master's, or Doctoral degree in the field of psychology, sociology, social work, education, child development, gerontology, recreation therapy, nursing, or other related field approved in advance by DDA, or be in a University internship program for psychology, sociology, social work, education, child development, gerontology, recreation therapy, or nursing and be supervised by the University's internship program.
- b. The Contractor must have a minimum of one year experience working with individuals who experience a developmental or intellectual disability.
- Contract Standards- Specialized Habilitation

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every Three Years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services- Specialized Habilitation

Provider Category:

Individual

Provider Type:

Specialized Habilitation

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

- a. The contractor must be a Life Skills Coach with current and valid certification, or have a Bachelor's, Master's, or Doctoral degree in the field of psychology, sociology, social work, education, child development, gerontology, recreation therapy, nursing, or other related field approved in advance by DDA, or be in a University internship program for psychology, sociology, social work, education, child development, gerontology, recreation therapy, or nursing and be supervised by the University's internship program.
- b. The Contractor must have a minimum of one year experience working with individuals who experience a developmental or intellectual disability.
- Contract Standards- Specialized Habilitation

Verification of Provider Qualifications**Entity Responsible for Verification:**

Every Three years

Frequency of Verification:

State Operating Agency

Appendix C: Participant Services**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Stabilization Services- Staff/Family Consultation Services

HCBS Taxonomy:**Category 1:**

10 Other Mental Health and Behavioral Services

Sub-Category 1:

10030 crisis intervention

Category 2:**Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

Stabilization Services – Staff/Family Consultation Services are therapeutic services that assist family members, unpaid caregivers and/or paid support staff in carrying out individual treatment/support plans, and that are not covered by the Medicaid state plan, and are necessary to improve the individual's independence and inclusion in their community. This service is not intended to instruct paid staff on the competencies relative to their field they are required to have or to provide training required to meet provider qualifications, but rather to support staff in meeting the individualized and specific needs of the waiver participant. The person-centered service plan, developed by the case/resource manager in collaboration with the waiver participant and the waiver participant's family, provides the high-level summary of services and goals for each specified waiver service. The plan developed by the consultant provides step-by-step details necessary to reach a goal by implementing a specific course of supports by the participant's family or paid providers.

Consultation, such as assessment, the development, training and technical assistance to a home or community support plan, and monitoring of the provider and individual in the implementation of the plan, is provided to families or direct staff to meet the specific needs of the waiver participant as outlined in the individual's person-centered service plan, including:

- (a) Health and medication monitoring to report to health care provider;
- (b) Positioning and transfer;
- (c) Basic and advanced instructional techniques;
- (d) Residential Habilitation Positive Behavior Support Implementation;
- (e) Augmentative communication systems;
- (f) Consultation with potential referral resources (mental health crisis line or end-harm line);
- (g) Diet and nutritional guidance;
- (h) Disability information and education;
- (i) Strategies for effectively and therapeutically interacting with the participant;
- (j) Environmental consultation;
- (k) Assistive Technology; and
- (l) Parenting skills.

Stabilization Services – Staff/Family Consultation Services are distinct and separate services from Staff/Family Consultation Services, appear in PCSPs separately, are authorized separately and have an unique and separate billing code.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Stabilization services – Staff/Family Consultation Services are intermittent and temporary.

The need for this service is identified during the person-centered planning process and documented in the waiver participant's person-centered service plan.

Service is provided to the waiver participant who is experiencing a crisis and is at risk of hospitalization. Once the crisis situation is resolved and the individual is stabilized, stabilization services will be terminated. Any ongoing need for Staff/Family Consultation Services will be met under the stand-alone Staff/Family Consultation Services category.

The services under the waiver are limited to additional services not otherwise covered under the state plan, including EPSDT, but consistent with waiver objectives of avoiding institutionalization.

Service Delivery Method (check each that applies):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (check each that applies):

- ☐ Legally Responsible Person
- ☐ Relative
- ☐ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|-----------------------------------|
| Individual | Specialized Habilitation Provider |

| Provider Category | Provider Type Title |
|-------------------|--|
| Agency | Staff and Family Consultation Services |
| Individual | Staff and Family Consultation Services |
| Agency | Specialized Habilitation Provider |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services- Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Specialized Habilitation Provider

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

- a. The contractor must be a Life Skills Coach with current and valid certification, or have a Bachelor's, Master's, or Doctoral degree in the field of psychology, sociology, social work, education, child development, gerontology, recreation therapy, nursing, or other related field approved in advance by DDA, or be in a University internship program for psychology, sociology, social work, education, child development, gerontology, recreation therapy, or nursing and be supervised by the University's internship program.
- b. The Contractor must have a minimum of one year experience working with individuals who experience a developmental or intellectual disability.
- Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services- Staff/Family Consultation Services

Provider Category:

Agency

Provider Type:

Staff and Family Consultation Services

Provider Qualifications**License (specify):**

Certificate (specify):

Other Standard (specify):

Staff/Family Consultation providers shall be licensed, registered or certified in Washington State according to the standards of their profession as listed below:

- 1) Audiologist licensed in accordance with RCW 18.35;
- 2) Licensed practical nurse licensed in accordance with RCW 18.79;
- 3) Marriage and family therapist licensed in accordance with RCW 18.225;
- 4) Mental health counselor licensed in accordance with RCW 18.225;
- 5) Occupational therapist licensed in accordance with RCW 18.59;
- 6) Physical therapist licensed in accordance with RCW 18.74;
- 7) Registered nurse licensed in accordance with RCW 18.79;
- 8) Sex offender treatment provider licensed in accordance with RCW 18.155;
- 9) Speech/language pathologist licensed in accordance with RCW 18.35;
- 10) Social worker licensed in accordance with RCW 18.225;
- 11) Psychologist licensed in accordance with RCW 18.225;
- 12) Certified American Sign Language instructor;
- 13) Nutritionist licensed in accordance with RCW 18.138;
- 14) Counselors certified in accordance with RCW 18.19;
- 15) Certified dietician licensed in accordance with RCW 18.138;
- 16) Professional advocacy organization;
- 17) Recreation therapist registered certified in Washington in accordance with RCW 18.230 and certified by the national council for therapeutic recreation;
- 18) Educator or teacher certified in accordance with RCW 18.79A;
- 19) Providers listed in WAC 388-845-0506 and with a current contract with DDA to provide CIIBS intensive services; or
- 20) Or other provider identified in WAC chapter 388-845 for Staff/Family Consultation.

Contract standards

Verification of Provider Qualifications**Entity Responsible for Verification:**

state operating agency

Frequency of Verification:

Every three years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service**

Service Name: Stabilization Services- Staff/Family Consultation Services**Provider Category:**

Individual

Provider Type:

Staff and Family Consultation Services

Provider Qualifications**License (specify):****Certificate (specify):****Other Standard (specify):**

Staff/Family Consultation providers shall be licensed, registered or certified in Washington State according to the standards of their profession as listed below:

- 1) Audiologist licensed in accordance with RCW 18.35;
- 2) Licensed practical nurse licensed in accordance with RCW 18.79;
- 3) Marriage and family therapist licensed in accordance with RCW 18.225;
- 4) Mental health counselor licensed in accordance with RCW 18.225;
- 5) Occupational therapist licensed in accordance with RCW 18.59;
- 6) Physical therapist licensed in accordance with RCW 18.74;
- 7) Registered nurse licensed in accordance with RCW 18.79;
- 8) Sex offender treatment provider licensed in accordance with RCW 18.155;
- 9) Speech/language pathologist licensed in accordance with RCW 18.35;
- 10) Social worker licensed in accordance with RCW 18.225;
- 11) Psychologist licensed in accordance with RCW 18.225;
- 12) Certified American Sign Language instructor;
- 13) Nutritionist licensed in accordance with RCW 18.138;
- 14) Counselors certified in accordance with RCW 18.19;
- 15) Certified dietician licensed in accordance with RCW 18.138;
- 16) Professional advocacy organization;
- 17) Recreation therapist registered certified in Washington in accordance with RCW 18.230 and certified by the national council for therapeutic recreation;
- 18) Educator or teacher certified in accordance with RCW 18.79A;
- 19) Providers listed in WAC 388-845-0506 and with a current contract with DDA to provide CIIBS intensive services; or
- 20) Or other provider identified in WAC chapter 388-845 for Staff/Family Consultation.

Contract standards

Verification of Provider Qualifications**Entity Responsible for Verification:**

State Operating Agency

Frequency of Verification:

Every Three years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Stabilization Services- Staff/Family Consultation Services

Provider Category:

Agency

Provider Type:

Specialized Habilitation Provider

Provider Qualifications

License (specify):

Certificate (specify):

Other Standard (specify):

- a. The contractor must be a Life Skills Coach with current and valid certification, or have a Bachelor's, Master's, or Doctoral degree in the field of psychology, sociology, social work, education, child development, gerontology, recreation therapy, nursing, or other related field approved in advance by DDA, or be in a University internship program for psychology, sociology, social work, education, child development, gerontology, recreation therapy, or nursing and be supervised by the University's internship program.
- b. The Contractor must have a minimum of one year experience working with individuals who experience a developmental or intellectual disability.
- Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

| |
|------------------------------------|
| Staff/Family Consultation Services |
|------------------------------------|

HCBS Taxonomy:**Category 1:**

| |
|-------------------|
| 17 Other Services |
|-------------------|

Sub-Category 1:

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|-------------|
| 17990 other |
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Category 2:

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Sub-Category 2:

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Category 3:

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Sub-Category 3:

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Service Definition (Scope):**Category 4:**

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Sub-Category 4:

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- Clinical and professional services that assist formal (paid) and informal (unpaid) caregivers, support staff, or family members of a waiver participant in carrying out individual treatment/support plans.
- Professional services are those that are not covered by the Medicaid state plan and are necessary to improve the individual's independence and inclusion in their community.
- This service is not intended to instruct paid staff/family on the competencies relative to their field they are required to have or to provide training required to meet provider qualifications, but rather to support staff/family in meeting the individualized and specific needs of the waiver participant.
- The person-centered service plan, developed by the case resource manager in collaboration with the waiver participant and the waiver participant's staff/family, provides the high-level summary of services and goals for each specified waiver service.
- The plan developed by the consultant provides step-by-step details necessary to reach a goal by implementing a specific course of supports by the participant's staff/family or other paid providers.
- Consultation, such as assessment, development, training, and technical assistance to a home or community support plan, and monitoring of the provider and individual in the implementation of the plan, is provided to families or

direct staff to meet the specific needs of the waiver participant as outlined in the waiver participant's person-centered service plan, including:

- (a) Health and medication monitoring to report to the healthcare provider;
- (b) Positioning and transfer;
- (c) Basic and advanced instructional techniques;
- (d) Residential Habilitation Positive Behavior Support implementation;
- (e) Augmentative communication systems;
- (f) Consultation with potential referral resources (mental health crisis line or end-harm line);
- (g) Diet and Nutritional Guidance;
- (h) Disability Information and Education;
- (i) Strategies for Effectively and Therapeutically Interacting with the Participant;
- (j) Environmental consultation; and
- (k) Assistive technology.
- (l) parenting skills.

All Staff/Family consultation providers shall be licensed, registered, or certified in Washington State according to the standards of their approved profession in Title 18 RCW or other standard of profession.

Remote service delivery is an available service delivery option if chosen by the participant or their guardian (if appropriate), appropriately meets the participant's assessed needs as documented in their PCSP and is provided within the scope of the service being delivered. Service may be received in person or via telehealth as identified in the person-centered service plan. The waiver participant selects whether they want to receive service in person, via telehealth, or a combination of both. Remote service delivery means that the service is delivered by the provider to the participant via phone, video, computer, or other technology and that the technology and data storage is HIPAA compliant.

Assurances:

The well-developed person-centered service plan will document the participant's specific health and welfare needs and how each service selected by the participant contributes to meeting the participant's needs and does not duplicate supports.

Remote Supports does not provide any of the specific services or supports that are provided by services that are delivered via telehealth remotely.

The well-developed person-centered service plan will document which services are selected by the participant to meet their unique health and welfare needs and whether a participant selects a particular service to be provided via telehealth remotely. The service authorization system (ProviderOne) has distinct and separate service codes for each waiver service and has built-in system logic that prevents duplication of services. DDA policies and procedures provide guidance to Case Resource Managers on developing effective person-centered service plans that meet the unique needs of participants without any duplication of services.

Telehealth will be the delivery method for a particular service at the direction of the participant not by the preference of the service provider. A teleservice (telehealth) request form will be required prior to authorization of teleservice delivery. This request form will document the client's desired level of in person to teleservice delivery and will remind client's that they can change their mind about frequency of teleservice delivery at any time. This agreement is intended to assist in clear and documented communication between the client, DDA, and the provider (in addition to the person-centered service plan) to ensure the client is the driver of the method of service delivery they receive.

Case/Resource Managers will consult with their participants and family members, if appropriate, to develop the person-centered service plan that includes the specific services and service delivery methods that best meets the participant's unique health and welfare needs. Participants will document in their PCSPs what approximate percentage of service delivery they desire to receive via telehealth. The State is not mandating what percentage of time telehealth will be the delivery method for the service to ensure person-centered service planning and promote client choice. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods.

State will permit recording of live interactions with the participant via audio or video technology only at the request of the participant. Policy will include specific language around bathrooms and bedrooms. Video cameras are not permissible in bathrooms. If a client requests a video camera in their bedroom, there must be an approved exception to policy in place and the device must be situated in a way that does not compromise client privacy. Live 2-way interactions are always initiated by the participant. The participant can initiate the service when needed and turn off the equipment when not needed.

The State believes remote service delivery (telehealth) will be an important component in a well-developed and balanced person-centered service plan that focuses on the specific wants and health and welfare needs of the participant. Experience during the COVID-19 pandemic has shown that remote service delivery can facilitate community integration in a person-centered way. Washingtonians in the broader community utilize both technology-supported remote and in-person community service environments, and the proposed change in waiver services give waiver clients the same opportunity to participate in their community as everyone else. Case/Resource Managers will be guided by DDA policy to assist participants to select services and service delivery methods that best meet their health and welfare needs employing a robust balance of in-person and if desired, telehealth delivery methods. Participants who need hands on assistance/physical assistance will require careful person-centered planning coordinated by their Case/Resource Manager to determine if remote service delivery is a practical or feasible option for the successful delivery of services. Voice-activated communication devices may be an option that some participants select to ensure that remote service delivery will work for them. Other clients may require in person service delivery only to ensure safety and successful service delivery.

The person-centered service plan is the first resource that will ensure the health and safety of that participant. The PCSP identifies supervision and physical assistance support needs that inform the decision making of whether remote service delivery (telehealth) is appropriate for the client. Providers employing remote service delivery will continue to follow all service protocols and will report any concerns they have to the Case/Resource Manager and make any appropriate incident reports.

The provider delivering services remotely will be responsible for using an approved delivery platform that the client is able and willing to use and will provide basic technical assistance as necessary during the course of their service delivery (device on and off, volume control, etc.). If a client is unable to use technology for remote service delivery, then in person service delivery would be the appropriate service delivery mechanism for the client and this would be discussed during the person-centered planning meeting.

The participant utilizing the services remote support and each person who shares a residence with that participant will be fully informed of what remote service delivery entails including, but not limited to: (A) that remote staff may observe their activities if they are within the view of the participant's video communication device; (B) that the participant decides where in the residence the remote support will occur; (C) whether or not recordings of sessions will be made (the participant's Case/Resource Manager will document in the PCSP); (D) that the participant will control the operation of the communication device, when it is turned on and when it is turned off. Please note that this service is not approved for clients receiving residential habilitation services.

The state uses the CARE assessment to determine client need for technology and remote support through the person-centered planning process. If a client requests that a video camera be placed in their home to use in the provision of remote support, there must be an exception to policy (ETP) in place with justification as to why the camera is needed instead of a simple sensor. The ETP must be approved and documented in the client's file before the device is installed and prior to the service being authorized.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

- (1) Clinical and support needs for staff/family consultation are identified in the waiver participant's DDA person-centered assessment and documented in their person-centered service plan.
- (2) Expenses to the family or provider for room and board or attendance, including registration, at conferences are excluded as a service under staff/family consultation services.
- (3) Staff/Family Consultation services will not duplicate services available through third party payers, social service organizations, or schools.
- (4) Stabilization Services –Staff/Family consultation are distinct and separate services from Staff/Family Consultation services, appear in PCSPs separately, are authorized separately, and have unique and separate billing codes.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---|
| Individual | Sex Offender Treatment Provider |
| Individual | Registered Nurse |
| Individual | Licensed Practical Nurse |
| Individual | Teacher |
| Individual | Speech/Language Pathologist |
| Individual | Registered or Certified Counselor |
| Individual | Audiologist |
| Individual | Psychologist |
| Individual | Physical Therapist |
| Individual | Marriage and Family Therapist |
| Agency | Staff Family Consultation Agency Provider |
| Individual | Nutritionist |
| Individual | Mental health counselor |
| Individual | Certified Recreation Therapist |
| Individual | Social Worker |
| Individual | Occupational Therapist |
| Individual | Certified American Sign Language Instructor |
| Individual | Certified Dietician |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

☐ Individual

Provider Type:

Sex Offender Treatment Provider

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapter 246-930 WAC (DOH administrative code concerning requirements for Sex Offender Treatment Providers)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Registered Nurse

Provider Qualifications

License (*specify*):

Chapter 246-840 WAC (DOH administrative code concerning requirements for Practical and Registered Nursing)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:**

Individual

Provider Type:

Licensed Practical Nurse

Provider Qualifications**License (specify):**

Chapter 246-840 WAC (Department of Health-DOH-administrative code concerning requirements for Practical and Registered Nursing)

Certificate (specify):**Other Standard (specify):****Contract Standards**

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service**Service Name: Staff/Family Consultation Services**

Provider Category:**Provider Type:****Provider Qualifications****License (specify):****Certificate (specify):****Other Standard (specify):**

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:****Frequency of Verification:****Appendix C: Participant Services**

C-1/C-3: Provider Specifications for Service

Service Type: Other Service**Service Name: Staff/Family Consultation Services**

Provider Category:**Provider Type:****Provider Qualifications****License (specify):****Certificate (specify):**

WAC 246-828-105 (DOH administrative code concerning requirements for Speech-language pathology-minimum standards of practice)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Registered or Certified Counselor

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapter 246-810 WAC (DOH administrative code concerning requirements for counselors)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:**

Individual

Provider Type:

Audiologist

Provider Qualifications**License (specify):****Certificate (specify):**

WAC 246-828-095 (DOH administrative code concerning Audiology minimum standards of practice)

Other Standard (specify):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:**

Individual

Provider Type:

Psychologist

Provider Qualifications**License (specify):**

Chapter 246-924 WAC (DOH administrative code concerning requirements for Psychologist)

Certificate (specify):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Physical Therapist

Provider Qualifications

License (*specify*):

Chapter 246-915 WAC (DOH administrative code concerning requirements for Physical Therapists)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:**

Individual

Provider Type:

Marriage and Family Therapist

Provider Qualifications**License** (*specify*):

Chapter 246-809 WAC (DOH administrative code concerning licensure for mental health counselors, marriage and family therapists, and social workers)

Certificate (*specify*):**Other Standard** (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:**

Agency

Provider Type:

Staff Family Consultation Agency Provider

Provider Qualifications**License** (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

An agency could employ any of the provider types listed above and the employees must meet the qualifications listed.

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Nutritionist

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapter 18.138 RCW (State law concerning requirements for Dietitians and Nutritionists)
Chapter 246-822 WAC (DOH administrative code concerning requirements for Dietitians or Nutritionists)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:**Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:****Provider Type:****Provider Qualifications****License (specify):****Certificate (specify):****Other Standard (specify):****Verification of Provider Qualifications****Entity Responsible for Verification:****Frequency of Verification:****Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Staff/Family Consultation Services****Provider Category:****Provider Type:****Provider Qualifications**

License (specify):

Certificate (specify):

Other Standard (specify):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Frequency of Verification:

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Provider Qualifications

License (specify):

Certificate (specify):

Other Standard (specify):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Occupational Therapist

Provider Qualifications

License (*specify*):

Chapter 246-847 WAC (DOH administrative code concerning requirements for Occupational Therapists)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Certified American Sign Language Instructor

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Staff/Family Consultation Services

Provider Category:

Individual

Provider Type:

Certified Dietician

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Chapter 18.138 RCW (State law concerning requirements for Dietitians and Nutritionists)
Chapter 246-822 WAC (DOH administrative code concerning requirements for Dietitians or Nutritionists)

Other Standard (*specify*):

Contract Standards

When providing telehealth, the virtual platform must be HIPPA compliant. The provider must take measures necessary to ensure the HUB site (site where provider delivering the service is located during the time of service provision) maintains HIPPA and privacy standards.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Transportation

HCBS Taxonomy:**Category 1:**

15 Non-Medical Transportation

Sub-Category 1:

15010 non-medical transportation

Category 2:**Sub-Category 2:****Category 3:****Sub-Category 3:****Service Definition (Scope):****Category 4:****Sub-Category 4:**

- Reimbursement for transporting a waiver participant to and from waiver funded services, when the transportation is required and specified in the participant's Person-Centered Service Plan.
- Waiver transportation is available if the cost and responsibility for transportation is not already included in the waiver participant provider's contract and payment.
- Waiver transportation services cannot duplicate other types of transportation available through the Medicaid state plan, EPSDT, or included in a provider's contract.
- Waiver transportation is provided in order for the waiver participant to access a waiver service, such as summer camp (respite service), when without the transportation, they would not be able to participate.
- Waiver transportation is different from Personal Care transportation in that it does not provide transportation to and from shopping or medical appointments.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

The following limitations apply to transportation services:

- (1) Transportation to/from medical or medically related appointments is a Medicaid State Plan transportation service and is to be considered and used first.
- (2) Transportation is offered in addition to medical transportation but cannot replace Medicaid State Plan Transportation services.
- (3) Transportation is limited to travel to and from a waiver service.
- (4) Transportation does not include the purchase of a bus pass.
- (5) Reimbursement for provider mileage is paid according to contract.
- (6) This service does not cover the purchase or lease of vehicles.
- (7) Reimbursement for provider travel time is not included in this service.
- (8) Reimbursement to the provider is limited to transportation that occurs when the waiver participant is with the provider.
- (9) The waiver participant is not eligible for transportation services if the cost and responsibility for transportation is already included in the provider's contract and payment.

Service Delivery Method (*check each that applies*):

- ☐ Participant-directed as specified in Appendix E
- ☒ Provider managed

Specify whether the service may be provided by (*check each that applies*):

- ☐ Legally Responsible Person
- ☒ Relative
- ☒ Legal Guardian

Provider Specifications:

| Provider Category | Provider Type Title |
|-------------------|---|
| Agency | Non-Emergency Medical Transportation Companies |
| Agency | HCA Contracted Non-Emergency Medical Transportation Brokers |
| Agency | Transportation Provider |
| Individual | Transportation Provider |

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Transportation

Provider Category:

Agency

Provider Type:

Non-Emergency Medical Transportation Companies

Provider Qualifications

License (*specify*):

WAC 182-546-5000-6200 (State administrative code concerning non-emergency medical transportation); Chapter 308-104 WAC (State administrative code concerning driver's licenses)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards; Chapter 308-106 WAC (State administrative code concerning mandatory insurance to operate a vehicle)

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Transportation

Provider Category:

Agency

Provider Type:

HCA Contracted Non-Emergency Medical Transportation Brokers

Provider Qualifications

License (*specify*):

WAC 182-546-5000-6200 (State administrative code concerning non-emergency medical transportation); Chapter 308-104 WAC (State administrative code concerning driver's licenses)

Certificate (*specify*):

Other Standard (*specify*):

Contract Standards; Chapter 308-106 WAC (State administrative code concerning mandatory insurance to operate a vehicle)

Verification of Provider Qualifications

Entity Responsible for Verification:

State Operating Agency

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service
Service Name: Transportation

Provider Category:

Agency

Provider Type:

Transportation Provider

Provider Qualifications

License (*specify*):

Chapter 308-104 WAC (State administrative code concerning Drivers Licenses)

Certificate (*specify*):

Other Standard (*specify*):

Chapter 308-106 WAC (State administrative code concerning mandatory insurance to operate a vehicle)

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service
Service Name: Transportation

Provider Category:

Individual

Provider Type:

Transportation Provider

Provider Qualifications

License (*specify*):

Chapter 308-104 WAC (State administrative code concerning Drivers Licenses)

Certificate (*specify*):

Other Standard (*specify*):

Chapter 308-106 WAC (State administrative code concerning mandatory insurance to operate a vehicle)

Contract Standards

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Social and Health Services (State Operating Agency)

Frequency of Verification:

Every 3 years

Appendix C: Participant Services

C-1: Summary of Services Covered (2 of 2)

b. Provision of Case Management Services to Waiver Participants. Indicate how case management is furnished to waiver participants (*select one*):

- ☐ **Not applicable** - Case management is not furnished as a distinct activity to waiver participants.
- ☒ **Applicable** - Case management is furnished as a distinct activity to waiver participants.

Check each that applies:

- ☐ **As a waiver service defined in Appendix C-3.** *Do not complete item C-1-c.*
- ☐ **As a Medicaid state plan service under §1915(i) of the Act (HCBS as a State Plan Option).** *Complete item C-1-c.*
- ☐ **As a Medicaid state plan service under §1915(g)(1) of the Act (Targeted Case Management).** *Complete item C-1-c.*
- ☒ **As an administrative activity.** *Complete item C-1-c.*
- ☐ **As a primary care case management system service under a concurrent managed care authority.** *Complete item C-1-c.*

c. Delivery of Case Management Services. Specify the entity or entities that conduct case management functions on behalf of waiver participants:

DDA Case Resource Managers conduct case management functions on behalf of waiver participants.

Appendix C: Participant Services

C-2: General Service Specifications (1 of 3)

a. Criminal History and/or Background Investigations. Specify the state's policies concerning the conduct of criminal history and/or background investigations of individuals who provide waiver services (*select one*):

- ☐ **No. Criminal history and/or background investigations are not required.**

☉ **Yes. Criminal history and/or background investigations are required.**

Specify: (a) the types of positions (e.g., personal assistants, attendants) for which such investigations must be conducted; (b) the scope of such investigations (e.g., state, national); and, (c) the process for ensuring that mandatory investigations have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid or the operating agency (if applicable):

DDA requires all individuals who may have unsupervised access to persons with developmental disabilities to complete a DSHS background check. This includes all contracted providers, individual providers, employees of contracted providers, county contracted providers that are funded by DDA, and any other individual who needs to be qualified by DDA to have unsupervised access to individuals with developmental disabilities. Staff may work in an unsupervised capacity through a provisional hire, only after they have completed an initial non-disqualifying Washington state background check and the national fingerprint-based background check results are pending. If staff are working with individuals with developmental disabilities prior to their background check being completed, they must be supervised.

All applicants identified as all long-term care workers (as defined below) are required to have a fingerprint-based check through the FBI. Individuals being hired by DDA who have lived in Washington less than three years or who live out of state and work in Washington are also required to have a fingerprint-based check through the FBI.

The DSHS Background Check Central Unit is assigned to complete all background checks required. Background check searches include multiple information sources including state and federal law enforcement records, state court records, and agency databases. Specifically, the following data sources are searched: Washington State patrol (WSP) WATCH criminal history records, Administrative Office of the Courts Public Data Mart – criminal history records, Washington State Adult Protective Services findings, Washington State Residential Client Protection Program findings, Washington State Child Protective Services findings, Washington State Department of Health findings, applicant self-disclosures, and stored Washington State Patrol and Federal Bureau of Investigations fingerprint record Records of Arrests and Prosecution (RAP) sheets and state RAP sheets, Washington State Department of Corrections Felony Offender Reporting System, Washington State Patrol Fingerprint-based search, FBI fingerprint-based search, Western Identification Network State Search for certain states.

"Long-term care workers"(as defined in RCW 74.39A.009(17)(a) includes all persons who provide paid, hands-on personal care services for the elderly or persons with disabilities, including but not limited to individual providers of home care services, direct care workers employed by home care agencies, providers of home care services to persons with developmental disabilities under Title 71A RCW, all direct care workers in state-licensed assisted living facilities, and adult family homes, respite care providers, direct care workers employed by community residential service businesses, and any other direct care worker providing home or community-based services to the elderly or persons with functional disabilities or developmental disabilities.

(d) Relevant state laws, regulations and policies are: RCW 43.20A.710 (Investigation of conviction records or pending charges of state employees and individual providers), RCW 43.43.830 (Background checks – Access to children or vulnerable persons-Definitions),RCW 43.43.832 (Background checks – Disclosure of information), RCW 43.43.837 (fingerprint-based background checks), RCW 43.43.842 (Vulnerable adults – Additional licensing requirements for agencies, facilities, and individuals providing services), RCW 74.15.030 (care of children, expectant mothers, persons with developmental disabilities), Chapter 74.39A RCW (Long-term care services), Chapter WAC 388-06 (background checks)Chapter 388-101 WAC (Certified Community Residential Services and Supports), Chapter 388-101D WAC (Requirements for Providers of Residential Services and Supports), Chapter 388-113 WAC (Disqualifying Crimes and Negative Actions), Chapter 388-825 WAC (Developmental Disabilities Administration Services Rules), DDA Policy 5.01 (Background Check Authorizations)and DSHS Administrative Policy 18.63 (employee background check requirements).

The Administration is audited periodically by a number of entities, including the Washington State Auditors Office, and DSHS Operations Review. The requirement to conduct criminal history background investigations is monitored by these entities due to its importance in reducing risk to clients of the Administration.

b. Abuse Registry Screening. Specify whether the state requires the screening of individuals who provide waiver services through a state-maintained abuse registry (select one):

- ☐ No. The state does not conduct abuse registry screening.
- ☒ Yes. The state maintains an abuse registry and requires the screening of individuals through this registry.

Specify: (a) the entity (entities) responsible for maintaining the abuse registry; (b) the types of positions for which abuse registry screenings must be conducted; and, (c) the process for ensuring that mandatory screenings have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):

(a) Under state authority, RCW 26.44 (state law concerning abuse of children), Child Protective Services (CPS) within the Department of Children, Youth and Families is responsible for receiving and investigating reports of suspected child abuse and neglect.

Under state authority, RCW 74.34 (state law concerning abuse of vulnerable adults), the Aging and Long Term Support Administration (ALTSA) receives reports and conducts investigations of abuse, neglect, exploitation and abandonment for individuals enrolled with the Developmental Disabilities Administration. ALTSA Residential Care Services (RCS) investigates provider practice issues with respect to abuse and neglect occurring in nursing homes, assisted living facilities, adult family homes, & supported living programs. ALTSA Adult Protective Services (APS) investigates abuse and neglect involving adults residing in residential facilities and in their own homes. The BCCU checks APS, RCS, and CPS registries for final findings of abuse and neglect.

(b) All background checks conducted require screening through the APS, RCS, and CPS registries. Pursuant to WAC 388-06-0110 (concerning who must have background checks) and RCW 74.15.030 (state law concerning the powers and duties of the Secretary of DSHS, including background checks), all DDA direct hires and direct contracts which may involve unsupervised access to children or people with developmental disabilities require a background check through the BCCU which includes abuse registry screening.

Prior to providing contracted waiver services, the DSHS requires screening of individuals through the BCCU which includes the abuse registry findings. Per RCW 74.39A.050(8)(state law concerning quality improvement of long-term care services), no provider or staff, or prospective provider or staff, entered into a state registry finding him or her guilty of abuse, neglect, exploitation, or abandonment of a minor or a vulnerable adult as defined in Chapter 74.34 RCW (state law concerning abuse of vulnerable adults) shall be employed in the care of and have unsupervised access to vulnerable adults.

(c) DDA requires all individuals who may have unsupervised access to persons with developmental disabilities to complete a DSHS background check. As part of the background check process, the DSHS Background Check Central Unit (BCCU) cross-checks all potential and current employees against state registries that contain information on all individuals with a founded or substantiated finding of abandonment, abuse, neglect, and/or exploitation against a child or vulnerable adult. The BCCU provides the results of their screenings to DDA and DDA providers for action. (c) Contracted agency providers are required to conduct background checks on all of their employees, including all administrators, employees, volunteers, and subcontractors who may have unsupervised access to clients, pursuant to WAC 388-101-3250 (concerning background checks for the staff of certified providers of community residential services and supports) and RCW 43.43.830 (which is state law covering the Washington State Patrol which concerns background checks for those with unsupervised access to children or vulnerable adults). These background checks must be renewed at least every three years or more often as required by program rule or contract. In addition to Washington state name/date of birth background checks, national fingerprint checks are conducted on all new long term care workers and individuals who have resided less than three continuous years in Washington state or live out of state and work in Washington. DSHS Enterprise Risk Management Office (ERMO) conducts regular internal audits of DDA residential program background checks. The State Auditor's Office (SAO) also conducts regular background check audits. DDA works with providers regarding these audits and determines training needs. DDA provides ongoing background check training and consultation to providers and staff.

Note: Required information from this page (Appendix C-2-c) is contained in response to C-5.

Appendix C: Participant Services

C-2: General Service Specifications (3 of 3)

d. Provision of Personal Care or Similar Services by Legally Responsible Individuals. A legally responsible individual is any person who has a duty under state law to care for another person and typically includes: (a) the parent (biological or adoptive) of a minor child or the guardian of a minor child who must provide care to the child or (b) a spouse of a waiver participant. Except at the option of the State and under extraordinary circumstances specified by the state, payment may not be made to a legally responsible individual for the provision of personal care or similar services that the legally responsible individual would ordinarily perform or be responsible to perform on behalf of a waiver participant. *Select one:*

- ☒ **No. The state does not make payment to legally responsible individuals for furnishing personal care or similar services.**
- ☐ **Yes. The state makes payment to legally responsible individuals for furnishing personal care or similar services when they are qualified to provide the services.**

Specify: (a) the legally responsible individuals who may be paid to furnish such services and the services they may provide; (b) state policies that specify the circumstances when payment may be authorized for the provision of **extraordinary care** by a legally responsible individual and how the state ensures that the provision of services by a legally responsible individual is in the best interest of the participant; and, (c) the controls that are employed to ensure that payments are made only for services rendered. *Also, specify in Appendix C-1/C-3 the personal care or similar services for which payment may be made to legally responsible individuals under the state policies specified here.*

- ☐ **Self-directed**
- ☐ **Agency-operated**

e. Other State Policies Concerning Payment for Waiver Services Furnished by Relatives/Legal Guardians. Specify state policies concerning making payment to relatives/legal guardians for the provision of waiver services over and above the policies addressed in Item C-2-d. *Select one:*

- ☐ **The state does not make payment to relatives/legal guardians for furnishing waiver services.**
- ☐ **The state makes payment to relatives/legal guardians under specific circumstances and only when the relative/guardian is qualified to furnish services.**

Specify the specific circumstances under which payment is made, the types of relatives/legal guardians to whom payment may be made, and the services for which payment may be made. Specify the controls that are employed to ensure that payments are made only for services rendered. *Also, specify in Appendix C-1/C-3 each waiver service for which payment may be made to relatives/legal guardians.*

- ☒ **Relatives/legal guardians may be paid for providing waiver services whenever the relative/legal guardian is qualified to provide services as specified in Appendix C-1/C-3.**

Specify the controls that are employed to ensure that payments are made only for services rendered.

As described in Washington Administrative Code Chapter 388-845:

The following limitations apply to providers for waiver services:

- (1) The client's spouse cannot be their paid provider for any waiver service.
- (2) The client's natural, step, or adoptive parent cannot be their paid provider for any waiver service with the exception of:
 - (a) Transportation to a waiver service; or
 - (b) Residential Habilitation services per WAC 388-845-1510 if their parent is certified as a residential agency per chapter 388-101 WAC.

The following controls are in place to ensure payments are made only for services rendered:

- Annual Person-Centered Service Plans
- CRM monitoring of plan
- Annual PCSP audits
- National Core Indicator interviews
- Person-Centered Service Plan surveys

To ensure the safety of waiver participants the state instructs Case Resource Managers to locate a third party to supervise providers when the provider is a guardian.

☐ **Other policy.**

Specify:

f. Open Enrollment of Providers. Specify the processes that are employed to assure that all willing and qualified providers have the opportunity to enroll as waiver service providers as provided in 42 CFR §431.51:

The State of Washington allows for continuous open enrollment of all qualified providers. Provider qualifications are available to the public on-line per Washington Administrative Code (WAC) 388-825-072 Where do I find information on DDA's home and community based services (HCBS) waiver services? Waiver enrollees may select qualified providers at any time during the waiver year. Providers may enroll at any time during the year.

As specified in Washington Administrative Code (WAC) 388-101-4000 (Community Protection-Staff training), the Community Protection residential habilitation service provider must ensure that Community Protection program staff receive training specific to:

- (1) Community Protection within ninety calendar days of working with a Community Protection client; and
- (2) The needs, supports, and services for clients to whom they are assigned.

State has revised County contract language to clarify the requirements of continuous, open enrollment of all waiver service providers.

State has posted contact information on the DDA internet to connect potential waiver service providers with DDA contract staff at: <https://www.dshs.wa.gov/dda/developmental-disabilities-administration-contracts>.

Appendix C: Participant Services

Quality Improvement: Qualified Providers

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

a. Methods for Discovery: Qualified Providers

The state demonstrates that it has designed and implemented an adequate system for assuring that all waiver services are provided by qualified providers.

i. Sub-Assurances:

- a. Sub-Assurance:** *The State verifies that providers initially and continually meet required licensure and/or certification standards and adhere to other standards prior to their furnishing waiver services.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

C.a.1: # & % of wvr serv providers requiring licensure or certification, which initially met and continued to meet all DDA contract standards, including lic or cert, prior to furnishing services
N = # of wvr serv prvdrs requiring lic or cert, which initially met & continued to meet all DDA cntrt stds, including lic or cert, prior to furnishing svcs
D= All wvr svcs prvdrs that require lic or cert

Data Source (Select one):

Other

If 'Other' is selected, specify:

All Contracts Database (ACD)

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: |

| | | |
|--|---|--|
| | | |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

b. Sub-Assurance: The State monitors non-licensed/non-certified providers to assure adherence to waiver requirements.

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

C.b.1: Number & percent of waiver participant files with all authorized non-licensed/non-certified providers that met DDA contract standards and waiver requirements. N = # of waiver participant files with all authorized non-licensed/non-

certified providers that met DDA contract standards and waiver requirements. D = All waiver participant files reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Quality Compliance Coordinator Team within DDA. </div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> | |

Data Aggregation and Analysis:

| | |
|--|--|
| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

c. Sub-Assurance: The State implements its policies and procedures for verifying that provider training is conducted in accordance with state requirements and the approved waiver.

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

C.c.2: # & % of licensed/certified waiver service providers who met state & waiver training requirements as verified by state policies & procedures. N = # of licensed/certified wvr svcs providers who met state & waiver training requirements as verified by state policies & procedures. D = All licensed/certified wvr svcs providers requiring licensure/certification & state & waiver training.

Data Source (Select one):

Other

If 'Other' is selected, specify:

All Contracts Database (ACD)

| | | |
|--|---|---|
| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
| <input type="checkbox"/> State Medicaid | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |

| | | |
|--|--|---|
| Agency | | |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| | |
|---|--|
| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other |

| | |
|---|--|
| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
| | Specify: <div></div> |

Performance Measure:

C.c.3: The number and percent of non-licensed/non-certified waiver providers who met state and waiver training requirements as verified by state policies and procedures. N = Number of non-licensed/non-certified waiver providers who met state and waiver training requirements as verified by state policies and procedures. D = All non-licensed/non-certified waiver providers.

Data Source (Select one):

Other

If 'Other' is selected, specify:

Agency Contracts Database (ACD)

| | | |
|--|---|---|
| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: | |

| | | |
|--|--|--|
| | | |
|--|--|--|

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

C.a.1 and C.c.3: The Contracts Program Manager produces an annual report comparing claims data against the Agency Contracts Database (ACD) to verify that providers of service to all waiver participants meet contract standards, including licensure and other requirements, as verified by a valid contract.

C.c.2 and C.c.3: DDA maintains provider contract records in the Agency Contracts Database (ACD) that verifies providers have met ongoing training requirements prior to contract renewal. ACD reports are run annually to verify completion of training requirements.

C.b.1: The Quality Compliance Coordinator (QCC) Team completes a review of randomly selected files across all waivers on an annual basis. The list for the QCC Team review is generated to produce a random sample with a 95% confidence level with a margin of error of +/-5%. The findings from these reviews are collected in a database. All findings are expected to be corrected within 90 days. Corrections are monitored by QCC Team members.

As a part of the QCC review, the team checks to see that providers of service to waiver participants continue to meet contract standards, which include appropriate licensure, certification and other standards including training requirements, as verified by a valid contract in the Agency Contracts Database.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the States method for addressing individual problems as they are discovered. Include information

regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

Contract Reports: C.a.1; C.c.2; and C.c.3:

The results of the annual report comparing claims data against the ACD are shared with the regions for immediate follow up. Providers without a valid contract or the necessary training requirements are reviewed to determine the appropriate course of contract action. Services are terminated for those without valid contracts.

QCC Waiver File Reviews: C.b.1:

Individual findings are expected to be corrected within 90 days. Regional management and QCC are available to provide individualized support and assistance with these corrections. QCC staff monitors to ensure corrections occur.

Next, findings are analyzed by DDA management. Based on the analyses, additional necessary steps are taken. For example:

- Annual staff Waiver Training curriculum is developed and/or modified.
- Policies are clarified.
- Personnel issues are identified and addressed.
- Form format and instructions are modified.
- Waiver administrative code (WAC) is revised.
- Regional processes are revised.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

| Responsible Party(<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Qualified Providers that are currently non-operational.

☒ No

☐ Yes

Please provide a detailed strategy for assuring Qualified Providers, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix C: Participant Services

C-3: Waiver Services Specifications

Section C-3 'Service Specifications' is incorporated into Section C-1 'Waiver Services.'

Appendix C: Participant Services

C-4: Additional Limits on Amount of Waiver Services

a. Additional Limits on Amount of Waiver Services. Indicate whether the waiver employs any of the following additional limits on the amount of waiver services (*select one*).

- ☐ **Not applicable-** The state does not impose a limit on the amount of waiver services except as provided in Appendix C-3.
- ☒ **Applicable** - The state imposes additional limits on the amount of waiver services.

When a limit is employed, specify: (a) the waiver services to which the limit applies; (b) the basis of the limit, including its basis in historical expenditure/utilization patterns and, as applicable, the processes and methodologies that are used to determine the amount of the limit to which a participant's services are subject; (c) how the limit will be adjusted over the course of the waiver period; (d) provisions for adjusting or making exceptions to the limit based on participant health and welfare needs or other factors specified by the state; (e) the safeguards that are in effect when the amount of the limit is insufficient to meet a participant's needs; (f) how participants are notified of the amount of the limit. (*check each that applies*)

- ☐ **Limit(s) on Set(s) of Services.** There is a limit on the maximum dollar amount of waiver services that is authorized for one or more sets of services offered under the waiver.
Furnish the information specified above.

- ☐ **Prospective Individual Budget Amount.** There is a limit on the maximum dollar amount of waiver services authorized for each specific participant.
Furnish the information specified above.

- ☒ **Budget Limits by Level of Support.** Based on an assessment process and/or other factors, participants are assigned to funding levels that are limits on the maximum dollar amount of waiver services.
Furnish the information specified above.

Participants receive printed materials from their Case Resource Managers at each annual person-centered service plan meeting that outlines all available waiver services. Case Resource Managers are trained to explain how to access waiver services, including prior approval processes and any limitations that may be in effect. State posts all approved waivers online on the DDA internet site for statewide access by all parties. State has no geographic-based budget limits. Limits are indicated for specific services in Service Limitation section of services. Employment support limits are determined using a person centered planning process based on client acuity. Additional details are explained in C(1)(a). Stabilization services limits are based on the person centered planning process, explained in more detail in C(1)(a). The only dollar limitation for a community protection waiver service in environmental adaptations, which is limited to \$12, 192. The information in this section is available on-line at the DDA website for public inspection: www.dshs.wa.gov/dda.

- ☐ **Other Type of Limit.** The state employs another type of limit.
Describe the limit and furnish the information specified above.

Appendix C: Participant Services

C-5: Home and Community-Based Settings

Explain how residential and non-residential settings in this waiver comply with federal HCB Settings requirements at 42 CFR 441.301(c)(4)-(5) and associated CMS guidance. Include:

1. Description of the settings and how they meet federal HCB Settings requirements, at the time of submission and in the future.
2. Description of the means by which the state Medicaid agency ascertains that all waiver settings meet federal HCB Setting requirements, at the time of this submission and ongoing.

Note instructions at Module 1, Attachment #2, HCB Settings Waiver Transition Plan for description of settings that do not meet requirements at the time of submission. Do not duplicate that information here.

Please see Attachment #2.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (1 of 8)

State Participant-Centered Service Plan Title:

Person-Centered Service Plan (PCSP)

- a. Responsibility for Service Plan Development.** Per 42 CFR §441.301(b)(2), specify who is responsible for the development of the service plan and the qualifications of these individuals (*select each that applies*):

- ☐ **Registered nurse, licensed to practice in the state**
- ☐ **Licensed practical or vocational nurse, acting within the scope of practice under state law**
- ☐ **Licensed physician (M.D. or D.O)**
- ☒ **Case Manager** (qualifications specified in Appendix C-1/C-3)
- ☐ **Case Manager** (qualifications not specified in Appendix C-1/C-3).
Specify qualifications:

☒ **Social Worker***Specify qualifications:*

Regional DDA Case/Resource Managers and Regional DDA Social Service Specialists are the only individuals who perform the initial evaluations of level of care prior to placement onto the waiver. In addition to meeting the following minimum qualifications, staff must pass a background check prior to being hired and receive mandatory waiver training prior to completing any evaluations.

DDA Case/Resource Manager**Minimum Qualifications:**

A Bachelor's degree in social sciences, social services, human services, behavioral sciences or an allied field and two years of experience providing social services to people with developmental disabilities. Graduate training in social science, social services, human services, behavioral sciences or an allied field will substitute, year for year, for one year of the experience providing social services to people with developmental disabilities.

Social Service Specialist**Minimum Qualifications:**

A Master's degree in social services, human services, behavioral sciences, or an allied field and two years of paid social service experience.

OR

A Bachelor's degree in social services, human services, behavioral sciences, or an allied field and three years of social service experience.

☐ **Other***Specify the individuals and their qualifications:***Appendix D: Participant-Centered Planning and Service Delivery****D-1: Service Plan Development (2 of 8)****b. Service Plan Development Safeguards. Select one:**

- ☒ **Entities and/or individuals that have responsibility for service plan development may not provide other direct waiver services to the participant.**
- ☐ **Entities and/or individuals that have responsibility for service plan development may provide other direct waiver services to the participant.**

The state has established the following safeguards to ensure that service plan development is conducted in the best interests of the participant. *Specify:*

Appendix D: Participant-Centered Planning and Service Delivery**D-1: Service Plan Development (3 of 8)****c. Supporting the Participant in Service Plan Development. Specify: (a) the supports and information that are made**

available to the participant (and/or family or legal representative, as appropriate) to direct and be actively engaged in the service plan development process and (b) the participant's authority to determine who is included in the process.

Approximately 60 days prior to the Person-Centered Service Plan (PCSP) meeting, the Case Resource Manager(CRM)/Social Service Specialist contacts the individual and his/her/their representative by phone and letter. To aid them in their assessment planning and scheduling, case resource managers and their supervisors run monthly caseload reports that show each individual's next PCSP date.

During the phone conversation the CRM/Social Service Specialist describes the Person-Centered Service Plan process. The CRM/Social Service Specialist also confirms who the participant wants present at their person-centered planning meeting and whether anyone participating will be acting as their representative, if they choose to have a representative. In addition, the individual is asked where and when they would like the PCSP meeting to be held. Support is provided as needed to ensure the service plan development process is driven by the waiver participant.

Participants are not required to have a representative to participate in any waiver. Participants are not and will not be denied entry into a waiver or disenrolled from a waiver if the individual does not have a representative or does not agree to have a representative.

The letter the CRM/Social Service Specialist sends serves to confirm the date, time and location of the meeting and includes the DDA HCBS Waiver Brochure. The DDA HCBS Waiver Brochure includes information about waiver services, eligibility criteria and administrative hearing rights. The CRM/Social Service Specialist also extends invitations by phone and/or letter to individuals who the waiver participant has asked to participate in the PCSP process. In addition, the waiver participant is provided access to person centered planning tools that they can review and use prior to the meeting. Support is available to assist the individual to review and/or use those tools.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (4 of 8)

d. Service Plan Development Process. In four pages or less, describe the process that is used to develop the participant-centered service plan, including: (a) who develops the plan, who participates in the process, and the timing of the plan; (b) the types of assessments that are conducted to support the service plan development process, including securing information about participant needs, preferences and goals, and health status; (c) how the participant is informed of the services that are available under the waiver; (d) how the plan development process ensures that the service plan addresses participant goals, needs (including health care needs), and preferences; (e) how waiver and other services are coordinated; (f) how the plan development process provides for the assignment of responsibilities to implement and monitor the plan; and, (g) how and when the plan is updated, including when the participant's needs change. State laws, regulations, and policies cited that affect the service plan development process are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):

State requires an annual reassessment and State provides participants notice in advance of their next PCSP date so the assessment may be scheduled at a time that is convenient to the participant (WAC 388-828-1500). DDA assessments are administered in a participant's home, place of residence or at another location that is convenient to the participant (WAC 388-828-1520).

The Person-Centered Service Plan (PCSP) is the planning document produced for all clients receiving paid services, including waiver clients and is developed in accordance with the 42 CFR §441.301(2), which requires the Person-Centered Service Plan to:

- Reflect that the setting in which the individual resides is chosen by the individual;
- Be understandable to the individual receiving services and the individuals important in supporting him or her;
- Be finalized and agreed to with the informed consent of the individual in writing and signed by all individuals and providers responsible for its implementation;
- Be distributed to the individual and other people involved in the plan;
- Include those services, the purpose or control of which the individual elect to self-direct;
- Document the positive interventions and supports used prior to any modifications to the person centered service plan;
- Document less intrusive methods of meeting the need that have been tried but did not work;
- Include a clear description of the condition that is directly proportionate to the specific assessed need;
- Include a regular collection and review of data to measure the ongoing effectiveness of the modification;
- Include established time limits for periodic reviews to determine if the modification is still necessary or can be terminated;
- Include informed consent of the individual;
- Include an assurance that interventions and supports will cause no harm to the individual;
- Document the frequency with which the plan will be reviewed and revised upon reassessment of functional need by §441.365(e), at least every 12 months, when the individual's circumstances or needs change significantly, or at the request of the individual.

The DDA Assessment provides:

- An integrated, comprehensive tool to measure support needs for adults and children.
- An improved work process to support case management services because the system:
 - o Identifies the level of support needed by a client;
 - o Indicates whether a service level assessment is needed; and
 - o Identifies a level of service to support the client's assessed need.
- Detailed information is gathered regarding client needs in many life domains. This allows CRMs to make more effective service referrals.
- Health and welfare needs identified in the assessment automatically populate the Person-Centered Service Plan as needs that must be addressed.
- Clearer information for executive management and legislators on the overall needs of people with developmental disabilities.
- A nationally normed assessment for adults developed by the AAIDD.

(a) Who develops the plan, who participates in the process, and the timing of the plan.

- The Person-Centered Service Plan is developed by the DDA CRM/Social Service Specialist.
- Participants or contributors to this plan consist of:
 - o The individual,
 - o Their legal representative (if applicable),
 - o Providers, and
 - o Anyone else the individual would like to have participate or contribute (family, friends, etc.)
- The Person-Centered Service Plan is completed at least once every 12 months. Planning for the Person-Centered Service Plan begins 60 days in advance of the due date.

(b) The types of assessments that are conducted to support the service plan development process, including securing information about participant needs, preferences and goals, and health status.

- The DDA Assessment which is administered by the DDA CRM/Social Service Specialist provides the internal assessment and contains the following modules which assess for participant needs preferences, goals and health status:
 1. The Support Assessment module contains:

- a. The Supports Intensity Scale Assessment (which includes the ICF/IID Level of Care for individuals age 16 and above);
- b. ICF/IID Level of Care Assessment for individual age 15 and under;
- c. Protective Supervision Scale;
- d. Caregiver Status Scale;
- e. Current Services Scale;
- f. SIS Behavior Scale; and
- g. SIS Medical Scale.

2. The Service Level Assessment module contains:

- a. Personal Care assessment tool;
- b. Employment Support Assessment tool;
- c. Sleep Assessment tool; and
- d. Mental Health Assessment tool;
- e. Equipment tool;
- f. Medication Management tool;
- g. Medication tool;
- h. Seizure & allergies tool.

3. The Person-Centered Service Plan module contains:

- a. Service Summary tool;
- b. Support Needs tool;
- c. Finalize Plan tool;
- d. Environmental Plan tool;
- e. Equipment tool;
- f. DDA Referral tool;
- g. Plan review tool;
- h. Supported Living Rate Calculator;
- i. Foster Care Rate Assessment Calculator; and
- j. Individual and Family Support Calculator.

4. The Employment Support Calculator that determines the number of hours of employment support was added to the Person-Centered Service Plan module in 2018 and is explained in WAC 388-828-9325.

- DDA also uses external assessments as a part of the Person-Centered Service Plan process. Examples of external assessments include; nursing evaluations, PT/OT reports, psychological evaluations etc.

(c) How the participant is informed of the services that are available under the waiver.

Participants are informed of services available under the Waiver by:

1. The DDA HCBS Waiver Brochure and Waiver "Facts" which is enclosed with the letter confirming the Person-Centered Service Plan meeting. The letter, Fact sheet and brochure are sent approximately 60 days prior to the Person-Centered Service Plan meeting. The DDA HCBS Waiver Brochure identifies waiver services.
2. During the course of the Person-Centered Service Plan meeting service options are discussed and described.
3. Washington Administrative Code (WAC) fully defines services available under the waiver and is made available upon request and via the DDA internet Website

(d) The plan development process ensures that the service plan addresses participant's goals, needs (including health care needs), and preferences.

- Participant goals:
 - o There is a screen in the DDA assessment that allows for the documentation of participant goals.
- Participant needs (including health care needs):
 - o Health and welfare needs are identified throughout the course of the assessment on multiple screens (please see section b above). Health and welfare needs are also identified by additional documentation submitted as part of the Person-Centered Service Plan process (i.e. medical reports).
- Preferences:

o Participant preferences are identified as requests for service. This is documented in the body of the assessment as well as in the Person-Centered Service Plan.

(e) How Waiver and other services are coordinated:

Waiver and other services are coordinated by the CRM/Social Service Specialist

- Services identified to meet health and welfare needs are documented in the Person-Centered Service Plan.
- Providers receive a copy of the Person-Centered Service Plan. This assists them to not only understand their role in the individual's life but also the supports others are giving.
- The CRM/Social Service Specialist monitors the Person-Centered Service Plan to ensure health and welfare needs are being addressed as planned.

(f) How the plan development process provides for the assignment of responsibilities to implement and monitor the plan.

- The assessment identifies health and welfare needs.
 - o The identified needs populate the Person-Centered Service Plan.
 - Business rules require each identified need to be addressed.
 - o When an identified need requires a Waiver funded service the CRM/Social Service Specialist is required to identify the specific provider and the service type that will address this need.
 - The CRM/Social Service Specialist is required to provide sufficient documentation to allow the provider and the participant to know what the provider's responsibilities are.
 - o When a provider or service has not been identified the plan reflects the steps in place to identify either the service or the provider.
 - When the service or provider is identified the Person-Centered Service Plan is amended to reflect the updated plan.
- The CRM/Social Service Specialist provides oversight and monitoring of the Person-Centered Service Plan.

(g) How and when the plan is updated, including when the participant's needs change. State laws, regulations, and policies cited that affect the service plan development process are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

- Per WAC 388-845-3075:
 - o An individual may request a review of his/her/their plan of care at any time by calling his/her/their case resource manager. If there is a significant change in conditions or circumstances, DDA must reassess the plan and amend the plan to reflect any significant changes. This reassessment does not affect the end date of the annual Person-Centered Service Plan.
- Updates or amendments to the currently effective version of the Person-Centered Service Plan are tracked in the system.
 - o When a Service Level Assessment is moved from Pending to Current status, the Person-Centered Service Plan version attached to that assessment will lock (so a record is kept of the version that the client/representative has signed off on).
 - o Amendments do not change the Plan Effective date.
- Each subsequent change to the Person-Centered Service Plan is saved. There are two types of amendments: those that require a new Service Level Assessment and those that do not. Examples would be:
 - Person-Centered Service Plan Amendment With New Assessment
 - o Change in status of client in key domain (behavior, medical, caregiver, ADL, etc.)
 - o Change of provider for residential service (the client physically moves)
 - o Change in a paid service
 - Person-Centered Service Plan Amendment Without New Assessment
 - o Change in demographic information only
 - o No change in status of client in key domain
 - o Change of provider for non-residential service Rate change only (e.g. roommate leaves so now only 3 clients vs. 4 clients in home)

e. Risk Assessment and Mitigation. Specify how potential risks to the participant are assessed during the service plan development process and how strategies to mitigate risk are incorporated into the service plan, subject to participant needs and preferences. In addition, describe how the service plan development process addresses backup plans and the arrangements that are used for backup.

Health, welfare and safety needs are evaluated throughout the Support Assessment and Service Level Assessment modules in the DDA Assessment. They are then addressed in planning via formal referrals, authorized paid DDA Services and other documented support activities in the Person-Centered Service Plan.

The DDA Assessment evaluates risk by assessing for the following:

- Unstable/potentially unstable diagnosis
- Caregiver training required
- Medication regimen affecting plan
- Immobility issues affecting plan
- Nutritional status affecting plan
- Current or potential skin problems
- Skin Observation Protocol
- Alcohol/Substance Abuse
- Depression
- Suicide
- Pain
- Mental Health
- Legal
- Environmental
- Financial
- Community Protection

o Community Protection criteria have been developed to identify clients not already on the Community Protection Waiver, but who are exhibiting some extreme behaviors that could pose a public safety threat.

When risk areas are identified they populate a referral screen in the Person-Centered Service Plan. The CRM/Social Service Specialist documents the plan/response to each item that populates the referral screen.

Emergency planning is an required component of the Person-Centered Service Plan. Back up caregivers and emergency contacts are identified during the waiver participant's assessment and can be updated at any time. Back up and emergency plans are required in WAC for all residential providers. Arrangements for back-up plans vary from individual to individual. In some situations a back-up plan may be a family member. In others, a back up plan may include a paid provider stepping in to assure health and welfare needs are addressed during times of crisis. A paid provider may be a personal care provider paid through state plan services (Community First Choice Option), an in-home respite provider paid through waiver services, or an out-of-home behavioral health stabilization services crisis diversion bed provider paid through waiver services. None of these providers would be paid until their services were utilized.

WAC 388-828-1640

What are the mandatory panels in your DDA assessment?

After DDA has determined your client group, DDA determines the mandatory panels in your DDA assessment using the following tables. An "X" indicates that the panel is mandatory; an "O" indicates the panel is optional. If it is blank, the panel is not used.

(1) DDA "Assessment main" and client details information

| DDA Assessment Panel Name | Client Group | | | |
|---------------------------|------------------|------------------|---------------|---------------|
| | Waiver and State | Other Medicaid | State Only | |
| | No Paid Services | Only Residential | Paid Services | Paid Services |
| Assessment Main | X | X | X | X |
| Demographics | X | X | X | X |
| Overview | X | X | X | X |
| Addresses | X | X | X | X |
| Collateral Contacts | X | X | X | X |
| Financials | X | X | X | X |

(2) Supports intensity scale assessment

Client Group

| | Waiver and State | | Other Medicaid | | State Only | |
|---------------------------|------------------|------------------|----------------|---------------|---------------|---------------|
| DDA Assessment Panel Name | No Paid Services | Only Residential | Paid Services | Paid Services | Paid Services | Paid Services |
| Home Living | X | X | X | X | | |
| Community Living | X | X | X | X | | |
| Lifelong Learning | X | X | X | X | | |
| Employment | X | X | X | X | | |
| Health & Safety | X | X | X | X | | |
| Social Activities | X | X | X | X | | |
| Protection & Advocacy | X | | X | X | X | |

(3) Support assessment for children

| | Waiver and State | | Other Medicaid | | State Only | |
|---|------------------|------------------|----------------|---------------|---------------|---------------|
| DDA Assessment Panel Name | No Paid Services | Only Residential | Paid Services | Paid Services | Paid Services | Paid Services |
| Activities of Daily Living | X | X | X | X | | |
| IADLs (Instrumental Activities of Daily Living) | X | X | X | X | | |
| Family Supports | X | X | X | X | | |
| Peer Relationships | X | X | X | X | | |
| Safety & Interactions | X | X | X | X | | |

(4) Common support assessment panels

| | Waiver and State | | Other Medicaid | | State Only | |
|---------------------------|------------------|------------------|----------------|---------------|---------------|---------------|
| DDA Assessment Panel Name | No Paid Services | Only Residential | Paid Services | Paid Services | Paid Services | Paid Services |
| Medical Supports | X | X | X | X | | |
| Behavioral Supports | X | X | X | X | | |
| Protective Supervision | X | X | X | X | | |
| DDA Caregiver Status* | X | X | X | X | | |
| Programs and Services | X | X | X | X | | |

*Information on the DDA Caregiver Status panel is not mandatory for clients receiving paid services in an AFH, BH, SL, GH, SOLA, or RHC.

(5) Service level assessment panels

| | Waiver and State | | Other Medicaid | | State Only | |
|---------------------------|------------------|------------------|----------------|---------------|---------------|---------------|
| DDA Assessment Panel Name | No Paid Services | Only Residential | Paid Services | Paid Services | Paid Services | Paid Services |
| Environment | X | X | O | | | |
| Medical Main | O | X | O | | | |
| Medications | X | X | X | | | |
| Diagnosis | X | X | X | | | |
| Seizures | X | X | X | | | |
| Medication Management | | X | X | X | | |
| Treatments/programs | X | X | X | | | |
| ADH (Adult Day Health) | | O | O | O | | |
| Pain | X | X | X | | | |
| Indicators-Main | O | X | O | | | |
| Allergies | X | X | X | | | |
| Indicators/Hospital | X | X | X | | | |
| Foot | X | X | O | | | |
| Skin | X | X | O | | | |
| Skin Observation | O | O | O | | | |
| Vitals/Preventative | X | X | O | | | |
| Comments | O | O | O | | | |
| Communication-Main | O | X | O | | | |
| Speech/Hearing | O | X | O | | | |

| | | | | |
|--------------------------------|----|----|----|----|
| Psych/Social | O | X | O | |
| MMSE (Mini-Mental Status Exam) | | O | X | O |
| Memory | O | X | O | |
| Behavior | O | X | O | |
| Depression | O | X | O | |
| Suicide | O | O | O | |
| Sleep | O | O | O | |
| Relationships & Interests | | O | O | O |
| Decision Making | O | X | O | |
| Goals | X | O | O | |
| Legal Issues | O | O | O | |
| Alcohol | O | O | O | |
| Substance Abuse | O | O | O | |
| Tobacco | O | X | O | |
| Mobility Main | | O | X | O |
| Locomotion In Room | | O | X | O |
| Locomotion Outside Room | | O | X | O |
| Walk in Room | | O | X | O |
| Bed Mobility | | O | X | O |
| Transfers | O | X | O | |
| Falls | O | O | O | |
| Toileting-Main | | O | X | O |
| Bladder/Bowel | | O | X | O |
| Toilet Use | O | X | O | |
| Eating-Main | O | X | O | |
| Nutritional/Oral | O | X | O | |
| Eating | O | X | O | |
| Meal Preparation | O | X | O | |
| Hygiene-Main | | O | X | O |
| Bathing | O | X | O | |
| Dressing | O | X | O | |
| Personal Hygiene | O | X | O | |
| Household Tasks | O | X | O | |
| Transportation | O | X | O | |
| Essential Shopping | O | X | O | |
| Wood Supply | O | X | O | |
| Housework | O | X | O | |
| Finances | O | O | O | |
| Pet Care | O | O | O | |
| Functional Status | O | O | O | |
| Employment Support* | | X* | X* | X* |
| Mental Health | X | X | X | |
| DDA Sleep* | X* | O | O | |

*Indicates that:

(a) The "Employment Support" panel is mandatory only for clients age twenty-one and older who are on or being considered for one of the county services listed in WAC 388-828-1440(2).

(b) The "DDA Sleep" panel is mandatory only for clients who are age eighteen or older and who are receiving:

- (i) DDA HCBS Core or adult community specialized services waiver services; or
- (ii) State-Only residential services.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (6 of 8)

f. Informed Choice of Providers. Describe how participants are assisted in obtaining information about and selecting from among qualified providers of the waiver services in the service plan.

Participants are given free choice of all qualified/approved providers of each service approved in his/her/their plan. During the course of the Person-Centered Service Plan process the waiver participant is advised she/he/they have a choice of providers. The assessment meeting includes an Assessment Wrap-up checklist that the client and/or her/his/their representative signs. One of the items on the checklist is a statement verifying that the individual understands that she/he/they has a choice of and can change provider(s). Also, at the time of the annual Person-Centered Service Plan update, participants have an opportunity to select alternative providers. Waiver participants can also select alternative providers at any time by requesting an update of their Person-Centered Service Plan.

The Case Resource Manager (CRM)/Social Service Specialist provides information to access appropriate referral registries, contract database list and/or websites to facilitate access to provider lists and assist with the contracting process.

In-home Respite:

All individuals can contact the Home Care Referral Registry to access an individual respite provider. DDA provides waiver participant's the contact information to the Referral registry or information can be accessed from the internet Home Care Referral Registry website @<http://www.hcrr.wa.gov/>

- The Home Care Referral Registry is maintained by the Home Care Quality Authority. The Registry provides information about available Individual providers (IPs) in a geographic areas who are interested in being interviewed for potential hire.
- DDA provides lists of agencies contracted to provide in-home services and families choosing an agency, work with agency staff to select individuals to work in their homes.
- Other Provider types
 - o Lists of provider of specific services can be generated out of the Agency Contracts Data Base (ACD) maintained by DSHS. Provider recruitment is ongoing and contract referrals are accepted on a continual basis.
 - o The ALTSA Internet page maintains provider lists for Adult Family Home and Adult Residential Care Facilities.
 - o The DDA Internet page maintains a supported living provider locator.
 - o Contractors for Environmental Adaptations are listed by Labor & Industries, along with information about their licenses and any actions taken against them. Families may choose from this broad list of contractors and refer them to DDA for contracting. DDA also maintains a list of contractors.
 - o ProviderOne maintains an online search engine open to the public for providers of therapy, counseling, and other services.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (7 of 8)

- g. Process for Making Service Plan Subject to the Approval of the Medicaid Agency.** Describe the process by which the service plan is made subject to the approval of the Medicaid agency in accordance with 42 CFR §441.301(b)(1)(i):

The Developmental Disabilities Administration (DDA) operates a number of quality assurance (QA) processes that ensures that Person-Centered Service Plans meet the needs of waiver participants. At the end of each QA review cycle, a final report is generated which includes detailed data on a statewide level. These results are analyzed and incorporated into a statewide quality improvement plan. The State Medicaid Agency receives annual QA review reports and meets with the operating agency at the conclusion of the QA cycle to review results and provide input into the quality improvement plan. The quality improvement plan is then reviewed and approved for implementation by DDA executive management. This is part of a total Quality Improvement Strategy (QIS), which includes surveys, file reviews, performance measures, ternary evaluations of performance measures, and staff training.

More detail on QA processes as they relate to the person-centered service plan is provided below.

The mechanism for ongoing oversight of waiver operation by the Single State Medicaid Agency is the HCA Medicaid Agency Waiver Management Committee, which includes representatives from administrations and divisions within the operating agency, Home and Community Services and Residential Care Services, which are divisions within the operating agency, as well as the Developmental Disabilities Administration (DDA) and the Behavioral Health Administration (BHA). The Committee meets at least quarterly to review all functions delegated to the operating agency, current quality assurance activity, pending waiver activity (e.g. amendments, renewals, etc.), potential waiver policy and rule changes and quality improvement activities.

The Developmental Disabilities Administration is an administration within the Department of Social and Health Services (DSHS), which is the operating agency. The individual Case Resource Manager/Social Service Specialist is an employee of DDA. DDA determines client eligibility and requires the use of the administration's electronic assessment and service planning tool. DDA Case Resource Managers/Social Service Specialists directly authorize all initial service plans and supervisors conduct quality assurance activities on service plans. DDA has direct electronic access to all service plans.

DDA has a comprehensive monitoring process to oversee the planning process and the Person-Centered Service Plan. In addition, DDA participates in the National Core Indicators Survey and initiates a Person-Centered Service Plan survey. Data is gathered and analyzed and necessary steps are taken to correct areas of concern.

DDA monitoring process:

The DDA Quality Compliance Coordinator(QCC) Team completes an annual audit of randomly selected waiver files across all five waivers. The list for the QCC team audit is generated to produce a random sample with a 95% confidence level with a +/- 5 margin of error. Included in the review are items concerning the person-centered planning process and content of the Person-Centered Service Plan.

The findings from these reviews are collected in a database. All findings are expected to be corrected within 90 days. Corrections are monitored by the QCC Team. Findings are analyzed by DDA management. Based on the analysis necessary steps are taken, such as:

- Annual Waiver Training curriculum is developed in part to address review findings.
- Policy clarifications are issued.
- Personnel issues are identified.
- The format of and instructions on forms are modified.
- Waiver WAC is revised to clarify rule.
- Regional processes are updated.

The National Core Indicators Survey:

Washington State's Developmental Disabilities Administration (DDA) participates in a national study that assesses performance and outcome indicators for state developmental disabilities service systems. This study allows the Administration to compare its performance to service systems in other states and within our state from year to year.

There are currently 46 performance and outcome indicators to be assessed covering the following domains:

- Consumer Outcomes
- System Performance
- Health, Welfare, & Rights
- Service Delivery System Strength & Stability

In addition, DDA has added some waiver specific questions to assist with assuring Person-Centered Service Plans are

implemented as written and that health and welfare needs are being addressed. Findings are analyzed by DDA management and shared with stakeholders. The Washington State Developmental Disabilities Council (DDC) participates in the survey process by analyzing results.

An Assessment meeting wrap-up form is given to each waiver participant at the conclusion of the Person-Centered Service Plan planning meeting. This form gives participants an opportunity to respond to a series of questions about the PCSP process.

A Person-Centered Service Plan Meeting survey is mailed to waiver participants within one month of the Person-Centered Service Plan planning meeting. This survey gives participants an opportunity to respond to a series of questions about the Person-Centered Service Plan process. The survey is mailed from Central Office based on a random sample representative of all waivers with a 95% confidence level with a margin of error of +/-5%. Information collected is analyzed annually by the HCA Medicaid Agency Waiver Management Committee.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (8 of 8)

h. Service Plan Review and Update. The service plan is subject to at least annual periodic review and update to assess the appropriateness and adequacy of the services as participant needs change. Specify the minimum schedule for the review and update of the service plan:

- ☐ Every three months or more frequently when necessary
- ☐ Every six months or more frequently when necessary
- ☒ Every twelve months or more frequently when necessary
- ☐ Other schedule

Specify the other schedule:

i. Maintenance of Service Plan Forms. Written copies or electronic facsimiles of service plans are maintained for a minimum period of 3 years as required by 45 CFR §92.42. Service plans are maintained by the following (*check each that applies*):

- ☐ Medicaid agency
- ☒ Operating agency
- ☒ Case manager
- ☐ Other

Specify:

Appendix D: Participant-Centered Planning and Service Delivery

D-2: Service Plan Implementation and Monitoring

a. Service Plan Implementation and Monitoring. Specify: (a) the entity (entities) responsible for monitoring the implementation of the service plan and participant health and welfare; (b) the monitoring and follow-up method(s) that are used; and, (c) the frequency with which monitoring is performed.

The regional DDA Case Resource Manager (CRM) or Social Service Specialist (SSS) provides the primary oversight and monitoring of the Person-Centered Service Plan. The State notes that the frequency of monitoring by Case/Resource Managers or Social Service Specialists is determined in part by risk factors identified in the annual assessment to assure health and welfare. The DDA CRM or Social Service Specialist authorizes the Waiver Services identified as necessary to meet health and welfare needs in the Person-Centered Service Plan. The DDA CRM or Social Service Specialist monitors service provision no less than two times per year by at least one face to face in-person or virtual client visit and an additional contact with the waiver participant/legal representative which can be completed by telephone, e-mail or face to face. If a waiver participant chooses to have their annual assessment completed virtually, the Case/Resource Manager is mandated to schedule an on-site visit to determine the health and safety of the waiver participant in their residential setting. The Case/Resource Manager may monitor service provision in-person or virtually at the discretion of the Case/Resource Manager consistent with known risk factors. Continuous monitoring also occurs by contacting providers; reviewing progress reports submitted by providers and reviewing additional assessments (e.g. IEPs, psychological evaluations, Occupational Therapy evaluations etc.). If the DDA CRM or Social Service Specialist finds that the Person-Centered Service Plan is not meeting the individual's needs the Person-Centered Service Plan will be revised/amended. All monitoring is documented in either the Service Episode Record section of the electronic DDA Assessment or on the Monitoring tab of the Waiver Screen in CARE.

Signatures by participants on Person-Centered Service Plans may be manual (pen on paper) or electronic signatures. Washington State law (RCW Chapter 1.80 Uniform Electronic Transactions Act) authorized the use of electronic signatures when both parties to the transaction agree. The State proposes to collect electronic signatures using the following technologies: 1) signatures documented using Adobe E-Signature which is stored in DDA's Records Management Tool, DDA's electronic document repository and 2) voice signatures using Amazon Connect where the Case/Resource Manager calls the waiver participant on a recorded line, confirming their identity using two identifiers and documenting their approval in the recording and in a signature form in CARE Web. Case/Resource Managers document on a signature page that DDA received a voice signature, and this is uploaded to the Records Management Tool. Electronic communication with waiver participants for signatures is secured with access via a PIN generated by CARE Web and given to the waiver participant by the Case/Resource Manager. All signature options are documented on the signature page of the Person-Centered Service Plan in CARE Web and voice signatures recordings are stored by Amazon Connect through a contract with DDA.

At the time of the annual review, the CRM/Social Service Specialist is required to review the effectiveness of last year's plan with the individual and/or their legal representative. This review is a required step before the DDA Assessment will allow the CRM to create a new assessment. All plans are expected to address emergency preparedness such as: back-up caregivers, evacuation plans, what to do in case of natural disaster etc. The plan review process provides an opportunity to review the effectiveness of these plans.

In addition to DDA CRM/Social Service Specialist monitoring activities, the following occur:

- A sample of waiver case files is reviewed by Quality Compliance Coordinators.
 - o Quality Compliance Coordinators review annually a statewide random sample of all waiver files.
 - o Waiver case files are reviewed for the following evidence:
 - The Person-Centered Service Plan was completed within 12 months.
 - The individual was given a choice between waiver services and institutional care.
 - The individual meets the ICF/IID level of care standard.
 - The individual meets disability criteria.
 - The individual is financially eligible.
 - Services have been authorized in accordance with the Person-Centered Service Plan.
 - Waiver services or appropriate monitoring activities are occurring every month.
 - All authorized services are reflected in the plan.
 - All providers are qualified to provide the services for which they are authorized.
 - The individual was given a choice of qualified providers.
 - Appeal rights and procedures have been explained.

National Core Indicators Survey (NCI) face to face interviews:

Washington State's Developmental Disabilities Administration (DDA) participates in a national study that assesses performance and outcome indicators for state developmental disabilities service systems. This study allows the Administration to compare its performance to service systems in other states and within our state from year to year.

Currently 46 performance and outcome indicators are assessed that cover the following domains:

- Consumer Outcomes
- System Performance
- Health, Welfare, & Rights
- Service Delivery System Strength & Stability

In addition, DDA has added waiver-specific questions to assist with assuring Person-Centered Service Plans are implemented as written and that health and welfare needs are being addressed.

Examples of waiver specific questions:

- If you need to change your child's services, do you know what to do?
- Do the services and supports offered on your Person-Centered Service Plan meet your child's and family's needs?
- Did you (did the waiver participant) receive information at your (his/her/their) person-centered service plan meeting about the services and supports that are available under the (his/her/their) waiver?

Findings are analyzed by DDA management and shared with stakeholders. The Washington State Developmental Disabilities Council (DDC) participates in the survey process by analyzing results.

Assessment Meeting Wrap-up and Person-Centered Service Plan Survey:

An Assessment Meeting Wrap-up is given to each waiver participant at the conclusion of the Person-Centered Service Plan planning meeting. The Wrap-up survey gives participants an opportunity to respond to a series of questions about the Person-Centered Service Plan process. And after the assessment is finalized, Central Office sends a Person-Centered Service Plan survey to a statistically-valid random sample of all waiver participants with a return envelope to allow for an anonymous submission to Central Office.

Questions on the Person-Centered Service Plan survey:

- Did you get to choose who came to your meeting?
- Did your Case Resource Manager discuss any concerns you have with your current services?
- Were your concerns addressed in your new Person-Centered Service Plan?
- Did you receive information about what services are available in your waiver to meet your assessed needs?
- Were you given a choice of services that are available in your waiver to meet your identified needs?
- Were you given a choice of service providers?
- Were your personal goals discussed in developing your plan?
- Do you feel like your health concerns are addressed to your satisfaction?
- Do you feel like your safety concerns are addressed adequately?
- Did you receive information regarding planning for emergencies, such as an earthquake or other natural disaster?
- Do you know who to contact if your needs change before the next assessment?
- Do you know you have a right to appeal decisions made by DDA?
- Did your case manager explain how to use your Planned Action Notice (PAN) to appeal a service decision in your Person-Centered Service Plan if you disagree with that decision?

Residential Care Services (RCS) certifies DDA residential providers and licenses adult family homes and boarding (group)homes, all of which are qualified providers of respite services.

- o These providers are evaluated at a minimum of every two years.
- o A component of the RCS evaluation process is a review of the Person-Centered Service Plan to ensure the agency is implementing the plan as written.

b. Monitoring Safeguards. Select one:

- ☒ **Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may not provide other direct waiver services to the participant.**
- ☐ **Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may provide other direct waiver services to the participant.**

The state has established the following safeguards to ensure that monitoring is conducted in the best interests of the participant. *Specify:*

Appendix D: Participant-Centered Planning and Service Delivery

Quality Improvement: Service Plan

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

a. Methods for Discovery: Service Plan Assurance/Sub-assurances

The state demonstrates it has designed and implemented an effective system for reviewing the adequacy of service plans for waiver participants.

i. Sub-Assurances:

- a. *Sub-assurance: Service plans address all participants assessed needs (including health and safety risk factors) and personal goals, either by the provision of waiver services or through other means.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

D.a.1: The number and percent of waiver participants' PCSPs that address waiver participants' assessed health and welfare needs through the provision of waiver services or other means. N = Number of waiver participants' PCSPs that address waiver participants' assessed health and welfare needs through the provision of waiver services or other means. D = All waiver participants' PCSPs.

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence |

| | | |
|--|---|--|
| | | Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input checked="" type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| | |
|--|---|
| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:**D.a.7 The number and percent of annual waiver PCSPs that were created with**

participation from participant, participant's advocate and family members. N = Number of annual waiver PCSPs that were created with participation from participant, participant's advocate and family members. D = All annual waiver PCSPs created.

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:

D.a.4: Number and percent of waiver recipients' PCSPs with critical indicators triggered in the assessments that were addressed in their PCSPs. N = Number of waiver recipients' PCSPs with critical indicators triggered in the assessments that were addressed in their PCSPs. D = All waiver recipients' PCSPs reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = |

| | | |
|--|--|--|
| | | 95% confidence level with a +/- 5% margin of error. |
| <input checked="" type="checkbox"/> Other Specify: <div>Quality Compliance Coordinator (QCC) Team within DDA.</div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

D.a.6: # & % of waiver participants or family members reporting through NCI surveys that they are involved in creation of their waiver participant's PCSP N = # of waiver participants or family members reporting through NCI surveys that they were involved in creation of their waiver participant's PCSP D = All waiver participants or waiver participant family members responding to NCI survey reviewed

Data Source (Select one):

Analyzed collected data (including surveys, focus group, interviews, etc)

If 'Other' is selected, specify:

National Core Indicators (NCI) survey

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:

D.a.2: The number and percent of Person-Centered Service Plans (PCSPs) conducted for waiver participants with identified personal goals addressed in their PCSPs. N = Number of PCSPs conducted for waiver participants with identified personal goals addressed in their PCSPs. D = All waiver participants' PCSPs.

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

| | | |
|---|---|---|
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: |
| | <input type="checkbox"/> Other Specify: | |

Data Aggregation and Analysis:

| | |
|--|---|
| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: |

Performance Measure:

D.a.3: The number and percent of waiver participants' PCSPs with monthly waiver service provision or monitoring by the case resource manager during a break in services. N = Number of waiver participants' PCSPs with monthly waiver service provision or monitoring by the case resource manager during a break in service. D = All waiver participants' PCSPs reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Quality Compliance Coordinator(QCC) Team within DDA. </div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:**D.a.5. The number and percent of waiver PCSPs which include emergency planning.****N = Number of waiver PCSPs which include emergency planning. D = All waiver PCSPs.****Data Source (Select one):****Other**

If 'Other' is selected, specify:

CARE system.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |

| | | |
|----------------------|--|--|
| <input type="text"/> | | <input type="text"/> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <input type="text"/> |
| | <input type="checkbox"/> Other Specify: <input type="text"/> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <input type="text"/> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <input type="text"/> |

b. Sub-assurance: *The State monitors service plan development in accordance with its policies and procedures.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the

method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

- c. **Sub-assurance: Service plans are updated/revised at least annually or when warranted by changes in the waiver participants needs.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

D.c.1: The number and percent of annual waiver PCSPs that are completed before the end of the twelfth month following the initial PCSP or the last annual PCSP. N = The number of annual waiver PCSPs that are completed before the end of the twelfth month following the initial PCSP or the last annual PCSP. D = All waiver PCSPs due for annual review that were reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |

| | | |
|---|---|---|
| Quality Compliance Coordinator (QCC) Team within DDA. | | |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| | |
|--|---|
| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

D.c.3. # & % of waiver participants who experienced a significant change in needs who received a required significant change assessment & whose PCSP was updated.
N = Number of waiver participants who experienced a significant change in needs who received a required significant change assessment & whose PCSP was updated.
D = All waiver participants who experienced a significant change in needs.

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <div></div> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

D.c.2: # & % of waiver participants & family members responding to PCSP Meeting Survey (PCSPMS) who report knowing what to do if their needs change before next annual PCSP meeting N = # of wvr parts & family members responding to PCSPMS who report knowing what to do if their needs change before next annual PCSP mtg
D = All wvr participants & family members responding to PCSPMS reviewed

Data Source (Select one):

Analyzed collected data (including surveys, focus group, interviews, etc)

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input checked="" type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div>95% confidence level with a +/- 5% margin of error.</div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |

| | | |
|--|--|--|
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input checked="" type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">DDA Office of Quality Assurance and Communications</div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

- d. Sub-assurance: Services are delivered in accordance with the service plan, including the type, scope, amount, duration and frequency specified in the service plan.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

D.d.1: Number & percent of waiver PCSPs with services that are delivered in accordance with the type, scope, amount, duration, and frequency as specified in the PCSP. N = Number of waiver PCSPs with services that are delivered in accordance with the type, scope, amount, duration, and frequency as specified in the PCSP. D = All waiver PCSPs reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Quality Compliance Coordinator (QCc) Team within DDA. </div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:

D.d.2: Number & percent of waiver PCSPs with services that are delivered within 90 days of the PCSP effective date or as specified in the PCSP. N = Number of waiver PCSPs with services that are delivered within 90 days of the PCSP effective date or as specified in the PCSP. D = All waiver PCSPs reviewed.

Data Source (Select one):**Record reviews, on-site**

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = |

| | | |
|--|--|--|
| | | 95% confidence level with a +/- 5% margin of error. |
| <input checked="" type="checkbox"/> Other Specify: <div>Quality Compliance Coordinator (QCC) Team within DDA.</div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

D.d.4: Number & percent of waiver participants' PCSPs whose PCSP services are all authorized in ProviderOne screens in CARE. N = Number of waiver participants' PCSPs whose PCSP services are all authorized in ProviderOne screens in CARE. D = All waiver participants' PCSPs reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Quality Compliance Coordinator (QCC) Team within DDA. </div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:

D.d.3: # & % of waiver PCSPs with service authorizations in place for waiver funded services that occurred that should have occurred in last 3 months. N = # of wvr PCSPs with service authorizations in place for wvr funded services that occurred that should have occurred in last 3 months. D = All wvr PCSPs that should have included a service authorization in last 3 months that were reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = |

| | | |
|--|--|--|
| | | 95% confidence level with a +/- 5% margin of error. |
| <input checked="" type="checkbox"/> Other Specify: <div>Quality Compliance Coordinator (QCC) Team within DDA.</div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

D.d.5. The number and percent of waiver participants who report receiving services in accordance with the type, scope, amount, duration and frequency specified in their PCSP. N = Number of waiver participants who report receiving services in accordance with the type, scope, amount, duration and frequency specified in their PCSP. D = All waiver participants surveyed that were reviewed.

Data Source (Select one):

Analyzed collected data (including surveys, focus group, interviews, etc)

If 'Other' is selected, specify:

Medicaid Service Verification Survey

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| | |
|--|--|
| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

e. *Sub-assurance: Participants are afforded choice: Between/among waiver services and providers.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

D.e.1: # & % of waiver participant records that contain annual assessment meeting wrap-up that verifies that waiver participant had a choice between/among waiver services & providers. N = # of wvr participant records that contain annual assessment meeting wrap-up that verifies that wvr participant had a choice between/among waiver services & providers. D = All waiver part records reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| | | |
|---|--|--|
| Responsible Party for data collection/generation <i>(check each that applies):</i> | Frequency of data collection/generation <i>(check each that applies):</i> | Sampling Approach <i>(check each that applies):</i> |
|---|--|--|

| | | |
|--|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Quality Compliance Coordinator (QCC) Team within DDA. </div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis(<i>check each that applies</i>): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |

| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
|--|--|
| <div data-bbox="405 271 798 353" style="border: 1px solid black; height: 37px; width: 246px;"></div> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div data-bbox="868 560 1260 638" style="border: 1px solid black; height: 35px; width: 246px;"></div> |

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

QIPs for Performance Measures D.d.2, D.d.3 and D.e.1 are located at Main B. Optional

PM D.a.1, D.a.7 and D.c.3 are 100% annual reviews based on data from the CARE system that is analyzed by the Waiver Team and reviewed by DDA management.

PM D.d.5 is an annual representative sample drawn from the Medicaid Service Verification Survey that is analyzed by the Waiver Team and reviewed by DDA management.

D.a.3; D.a.4; D.c.1; D.d.1; D.d.2; D.d.3; D.d.4; D.e.1: The QCC Team completes an annual audit of randomly selected files across all DDA waivers. The list for the QCC Team audit is generated to produce a random sample representative of all waivers with a 95% confidence level with a margin of error of +/-5%. The findings from these reviews are collected in a database. All findings are expected to be corrected within 90 days. Corrections are monitored by QCC Team members.

A valid sample is produced for the QCC audit. The remaining file review is strictly an additional measure to assist with ongoing quality assurance.

The audit protocol includes (among others) the following questions with a target of 100% compliance:

- Have all identified waiver funded services been provided within 90 days of the annual PCSP effective date?
- Is there a ProviderOne or Individual ProviderOne authorization for all Waiver funded services identified in the current PCSP that should have occurred in the three (3) months prior to this review?
- Are all the current services authorized in ProviderOne or Individual ProviderOne Screen identified in the PCSP? (Authorizations are audited as a proxy for claims data. The ProviderOne and Individual ProviderOne electronically prevents a provider from claiming payment for an amount and rate higher than what is authorized.)
- Are the authorized service amounts equal or less than the amounts identified in the PCSP?
- Is the effective date of this year's annual PCSP no later than the last day of the 12th month of the previous annual PCSP effective date?
- Is there evidence that the Wrap-Up discussion occurred at the DDA annual or initial assessment?
- Is there a signed Voluntary Participation statement from the annual or initial assessment in the client file?

D.a.2: The DDA assessment allows for entry and addressing of personal goals. An annual report is generated at DDA Central Office to identify assessments with one or more personal goals to verify personal goals are acknowledged and addressed. Data are available in a computer-based system which provide 100% analysis of individual results.

D.a.5: An annual report is created to verify that emergency plans are documented in waiver participants' PCSPs.

D.a.6: DDA compares data on response rates to NCI questions and responses from waiver year to waiver year. DDA constructs pie charts for questions and analyzes the outcome of the survey with the HCA Medicaid Agency Waiver Management Committee and stakeholders. DDA uses this information to assist with the development of the Waiver training curriculum as well as to develop needed policy changes.

D.c.1: Monthly reports are prepared for a review of the progress toward achieving 100% timely assessments of need. The data is analyzed by comparing the actual number of assessments completed on time to the regional monthly targets and to the assessments that were due. Regional Waiver Specialists review Assessment Activity Reports on a monthly basis and send information to case resource managers for follow-up to promote timeliness of assessments.

D.c.2: Person-Centered Service Plan Meeting Survey: A PCSP Meeting survey is mailed to waiver participants within one month of the PCSP planning meeting. This survey gives participants an opportunity to respond to a series of questions about the PCSP process. The survey is mailed from DDA Central Office based on a random sample representative of all waivers with a 95% confidence level with a margin of error of +/-5%. Information collected is analyzed annually at the HCA Medicaid Agency Waiver Management Committee.

Questions in the Person-Centered Service Plan Meeting Survey include:

- Did you get to choose who came to your meeting?
- Did you get to choose the time and place of your meeting?
- Were you given the opportunity to lead your meeting?

- Were your personal goals discussed in developing your plan?
- Were you given a choice of services?
- Did you choose where and how the services will be provided?
- Did your case resource manager review last year's plan and ask what supports you want to continue and what should change?
- Were any concerns you may have had addressed in your new plan?
- Did you receive information about resources and services available to meet your goals?
- Were you given a choice of providers?
- Were plans made to meet any health and safety concerns you may have had?
- Did you receive information regarding planning for emergencies, such as an earthquake or other natural disaster?
- Do you know who to contact if your needs change before your next assessment?

b. Methods for Remediation/Fixing Individual Problems

- i.** Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

All results are reviewed by program managers on the QCC Team and by senior DDA management at least annually. Individual client issues discovered during annual reviews are corrected by CRMs and with oversight by the QCC Team. Systemic issues discovered in the course of annual reviews are brought by the QCC Team to senior DDA management for necessary policy, procedure or other corrective actions. In addition, the Washington State Developmental Disabilities Council (DDC) also participates in an annual review of QIS data analysis and remediation. D.a.1, D.a.5, D.a.7 & D.c.3 – CARE data findings are analyzed by management, and based on the analysis necessary steps are taken to increase compliance. D.d.5 – Medicaid Service Verification Survey results are analyzed by management, and based on the analysis necessary steps are taken to increase compliance.

D.a.3; D.a.4; D.c.1; D.d.1; D.d.2; D.d.3; D.d.4; D.e.1: Waiver File Reviews (Annual QCC audit):

Findings from QCC Team and Supervisor file reviews are analyzed by management, and based on the analysis necessary steps are taken to increase compliance. For example:

- Annual Waiver Training curriculum is developed in part to address audit findings.
- Policy clarifications occur as a result of audit findings.
- Analyses of findings assist regions to recognize personnel issues.
- Analysis of audit finding may impact format and instructions on forms.
- Analysis of findings has led to revision in Waiver WAC to clarify rule.
- Analysis of findings has led regions to revise regional processes.

D.a.6: The National Core Indicators Survey:

Washington State's Developmental Disabilities Administration (DDA) participates in a national study that assesses performance and outcome indicators for state developmental disabilities service systems. This study allows the administration to compare its performance to service systems in other states and within our state from year to year.

There are currently 46 performance and outcome indicators to be assessed covering the following domains:

- Consumer Outcomes
- System Performance
- Health, Welfare, & Rights
- Service Delivery System Strength & Stability

In addition, DDA has added some waiver specific questions to assist with assuring PCSPs are implemented as written and that health and welfare needs are being addressed. Findings are analyzed by management and shared with stakeholders. The Washington State Developmental Disabilities Council (DDC) participates in the survey process both in visiting clients and analyzing results.

D.c.2: Person-Centered Service Plan Meeting Survey: DDA compares data on response rates to the Person-Centered Service Plan Meeting Survey and responses from waiver year to waiver year. DDA constructs pie charts for questions and analyzes the outcome of the survey with the HCA Medicaid Agency Waiver Management Committee and stakeholders. DDA uses this information to assist with the development of the Waiver training curriculum as well as to develop needed policy changes.

- Annual Waiver Training curriculum is developed in part to address audit findings.
- Policy clarifications occur as a result of audit findings.
- Analysis of audit finding may impact format and instructions on forms.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

| Responsible Party(<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input checked="" type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |

| Responsible Party(<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|---|
| <input type="text"/> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input checked="" type="checkbox"/> Other Specify: <input type="text" value="Three times per year."/> |

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Service Plans that are currently non-operational.

☒ No

☐ Yes

Please provide a detailed strategy for assuring Service Plans, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix E: Participant Direction of Services

Applicability (from Application Section 3, Components of the Waiver Request):

☐ Yes. This waiver provides participant direction opportunities. Complete the remainder of the Appendix.

☒ No. This waiver does not provide participant direction opportunities. Do not complete the remainder of the Appendix.

CMS urges states to afford all waiver participants the opportunity to direct their services. Participant direction of services includes the participant exercising decision-making authority over workers who provide services, a participant-managed budget or both. CMS will confer the Independence Plus designation when the waiver evidences a strong commitment to participant direction.

Indicate whether Independence Plus designation is requested (select one):

☐ Yes. The state requests that this waiver be considered for Independence Plus designation.

☐ No. Independence Plus designation is not requested.

Appendix E: Participant Direction of Services

E-1: Overview (1 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (2 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (4 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (5 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (6 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (7 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (8 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (9 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (10 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (11 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-1: Overview (12 of 13)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant Direction (1 of 6)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (2 of 6)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (3 of 6)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (4 of 6)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (5 of 6)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (6 of 6)

Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

Appendix F: Participant Rights

Appendix F-1: Opportunity to Request a Fair Hearing

The state provides an opportunity to request a Fair Hearing under 42 CFR Part 431, Subpart E to individuals: (a) who are not given the choice of home and community-based services as an alternative to the institutional care specified in Item 1-F of the request; (b) are denied the service(s) of their choice or the provider(s) of their choice; or, (c) whose services are denied, suspended, reduced or terminated. The state provides notice of action as required in 42 CFR §431.210.

Procedures for Offering Opportunity to Request a Fair Hearing. Describe how the individual (or his/her legal representative) is informed of the opportunity to request a fair hearing under 42 CFR Part 431, Subpart E. Specify the notice(s) that are used to offer individuals the opportunity to request a Fair Hearing. State laws, regulations, policies and notices referenced in the description are available to CMS upon request through the operating or Medicaid agency.

Waiver participants have rights under Medicaid law, state law (RCW) and state rules (WAC) to appeal any decision of DDA affecting eligibility, service, or choice of provider.

During entrance to a waiver, an individual is given administrative hearing rights via the DDA HCBS Waiver Brochure (DSHS #22-605). The CRM/Social Service Specialist discusses administrative hearing rights at the time of the initial and annual Person-Centered Service Plan meeting, and Planned Action Notices (PAN) are attached to the Person-Centered Service Plan when it is sent to the individual and their designee (the individual who has been designated to assist the client with understanding and exercising their administrative hearing rights) for signature.

When the department makes a decision affecting eligibility, level of service or denial or termination of provider, a Planned Action Notice (PAN) must be sent within 5 working days of the decision. The notice is sent to the client and their designee. The PAN provides the effective date of the action, the reason and applicable WAC, appeal rights, and time lines for filing appeals. Individuals have up to 90 days to appeal a department decision. If an individual wishes to maintain services during the appeal process, they must ask for an administrative hearing within the ten-day notice period. If the tenth day falls on a weekend or holiday, they have until the next business day to ask for an administrative hearing. If the tenth day happens before the end of the month, they have until the end of the month to ask for an administrative hearing and still be able to get continued benefits.

A client or their designee may request an administrative hearing orally or in writing. Client appeals are heard and decided by Administrative Law Judges (ALJs) through an administrative or "fair" hearing. Attorney representation is not required but is allowed. The individual or their representative may present the client's case or have an attorney present the case. DSHS employees may not represent the client at an administrative hearing.

PANs are contained electronically in the DDA Assessment on the CARE platform. If the PAN was modified then a copy of the modified PANs are maintained in client files. Service Episode Records (SERs) document when a PAN was sent. SERs are contained electronically in the DDA Assessment on the CARE platform.

DDA uses a variety of PANs to communicate decisions. All PANs include relevant administrative hearing rights and comply with Medicaid requirements.

Appendix F: Participant-Rights

Appendix F-2: Additional Dispute Resolution Process

a. Availability of Additional Dispute Resolution Process. Indicate whether the state operates another dispute resolution process that offers participants the opportunity to appeal decisions that adversely affect their services while preserving their right to a Fair Hearing. *Select one:*

- ☒ **No. This Appendix does not apply**
☐ **Yes. The state operates an additional dispute resolution process**

b. Description of Additional Dispute Resolution Process. Describe the additional dispute resolution process, including: (a) the state agency that operates the process; (b) the nature of the process (i.e., procedures and timeframes), including the types of disputes addressed through the process; and, (c) how the right to a Medicaid Fair Hearing is preserved when a participant elects to make use of the process: State laws, regulations, and policies referenced in the description are available to CMS upon request through the operating or Medicaid agency.

Appendix F: Participant-Rights

Appendix F-3: State Grievance/Complaint System

a. Operation of Grievance/Complaint System. *Select one:*

- ☐ **No. This Appendix does not apply**
☒ **Yes. The state operates a grievance/complaint system that affords participants the opportunity to register**

grievances or complaints concerning the provision of services under this waiver

b. Operational Responsibility. Specify the state agency that is responsible for the operation of the grievance/complaint system:

DDA operates the grievance/complaint system.

c. Description of System. Describe the grievance/complaint system, including: (a) the types of grievances/complaints that participants may register; (b) the process and timelines for addressing grievances/complaints; and, (c) the mechanisms that are used to resolve grievances/complaints. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

DDA provides participants with administrative hearing rights and a complaints/grievance process. The Complaints/Grievance process is not a pre-requisite to an administrative hearing, rather this policy provides participants with an opportunity to address those issues that are not dealt with through the administrative hearing process. DDA policy 5.03 Client Complaints clearly delineates those issues that may be addressed in this manner and those issues that should be addressed through processes such as the administrative hearing process. Participants are informed of both processes via brochures, DVDs, WAC, policy and their Case Resource Manager.

DDA policy 5.03 Client Complaints provides waiver participants an opportunity to address problems outside the scope of the administrative hearing process. DDA has also worked with the Developmental Disabilities Council to produce a video to assist individuals and their representatives with understanding how to work with the department to resolve complaints/grievances.

This policy applies to all DDA Field Services offices, State Operated Living Alternatives (SOLA), and Residential Habilitation Centers (RHC).

POLICY

A. DDA staff will strive to address grievances/complaints at the lowest level possible. Complaints can be received and addressed at any level of the organization. However, the complaint will be referred back to the Case

Resource Manager/Social Service Specialist (CRM/SSS) for action unless the complainant specifically requests it not be.

B. Legal authorization from the client or a personal representative is required to share information with persons outside of DSHS unless otherwise authorized by law. Authorization from the individual is not required when

responding to correspondence assignments or inquiries from the Governor's Office as part of administration of DSHS programs.

C. Communication to complainants will be made in their primary language if needed.

D. DDA maintains a complaint tracking database to log and track complaints as specified in the Procedures section of this policy.

PROCEDURES

A. Direct complaints concerning services in the DDA Residential Habilitation Centers (RHCs) and State Operated Living Alternatives (SOLA) to the Regional Administrator (RA) in the respective region.

B. RHC Based Complaints (not detailed here as respite in RHCs is not a waiver service)

C. Community Based Complaints

The process for responding to community based complaints is as follows:

1. Case Resource Manager/Social Worker (CRM/SW) Level

a. Case Resource Manager (CRM) and Social Workers (SW) solve problems and resolve complaints as a daily part of their regular case management activities. The CRM/SW will document these activities in the client's Service Episode Record (SER).

b. If the complainant does not feel the complaint or problem has been resolved and requests a review by a supervisor, the CRM/SW will give his/her/their supervisor's name and telephone number to the complainant.

2. Supervisor Level

a. Upon receipt of an unresolved complaint at the CRM/SW level, the supervisor has ten (10) work days to attempt to resolve the issue. If the response will take longer than ten (10) days, the supervisor must contact the complainant and give a reasonable estimated date of response.

b. If resolution is reached, the supervisor must document the outcome in the SER.

c. If the complainant does not feel that the problem has been resolved and the complainant wants a further review, the supervisor will give the complainant the RA's name and telephone number and document this in the SER.

3. Regional Administrator (RA) Level

a. On receipt of an unresolved complaint, the RA will assign a staff to investigate and resolve the issue within ten (10)

work days. If the response will take longer than ten (10) work days, the RA or designee must contact the complainant and give a reasonable estimated date of response.

- b. The assigned staff must enter the complaint information in the DDA Complaint Log.
- c. If resolution is reached, the assigned staff must:
 - 1) Document the outcome in the Complaint Log and the SER; and
 - 2) Notify the complainant and all parties involved.
- d. If the matter is not resolved to the complainant's satisfaction and she/he wants a review by the DDA Central Office, the RA or designee must document this in the Complaint Log and give the name and telephone number of the Chief, Office of Quality Assurance (OQA) to the complainant.
- e. If the complaint is new and made directly to the RA or assigned staff, refer the complaint back to the CRM/SW and follow steps 1,2 and 3 above. Only enter information into the Complaint Log if it is necessary for further action to be taken by Central Office.

4. Central Office Level

- a. On receipt of an unresolved complaint, the Assistant Secretary or designee must check that the complaint has been entered into the Complaint Log. If the response will take longer than ten (10) work days, the assigned staff must contact the complainant and give a reasonable estimated date of response.
- b. If resolution is reached, the assigned staff must document the outcome in the Complaint Log and notify the complainant and all parties involved.
- c. If the complaint is new and made directly to Central Office, the Assistant Secretary or designee will refer the complaint back to the RA to initiate steps 1,2 and 3 above. Only enter information in the Complaint Log if it is necessary for further action to be taken by Central Office or the Regional Administrator.
- d. Once the new complaint is resolved, the person who originally received the complaint will document the outcome in the Complaint Log and notify the complainant and all parties involved.

D. Information entered in the Complaint Log must be:

1. Entered by the management staff receiving the complaint;
2. Once action is taken, the follow up to the complaint must be entered by the person who originally entered the complaint;
3. Complete and sufficient information for a reviewer to understand the results; and
4. Reviewed by the Office of Quality Assurance during its monitoring review cycle.

Appendix G: Participant Safeguards

Appendix G-1: Response to Critical Events or Incidents

a. Critical Event or Incident Reporting and Management Process. Indicate whether the state operates Critical Event or Incident Reporting and Management Process that enables the state to collect information on sentinel events occurring in the waiver program. *Select one:*

☒ **Yes. The state operates a Critical Event or Incident Reporting and Management Process** (*complete Items b through e*)

☐ **No. This Appendix does not apply** (*do not complete Items b through e*)

If the state does not operate a Critical Event or Incident Reporting and Management Process, describe the process that the state uses to elicit information on the health and welfare of individuals served through the program.

b. State Critical Event or Incident Reporting Requirements. Specify the types of critical events or incidents (including alleged abuse, neglect and exploitation) that the state requires to be reported for review and follow-up action by an appropriate authority, the individuals and/or entities that are required to report such events and incidents and the timelines for reporting. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Several state laws require Department of Social and Health Services (DSHS) employees, volunteers, and contractors to report suspected abandonment, abuse, neglect, exploitation, and financial exploitation of children and vulnerable adults:

- Chapter 26.44 RCW mandates the reporting of any suspected abuse or neglect of a child to either DSHS or law enforcement.
- Chapter 74.34 RCW mandates an immediate report to DSHS of suspected abuse, neglect, abandonment, or financial exploitation of a vulnerable adult. When there is suspected sexual or physical assault of a vulnerable adult, it must be reported to DSHS and to law enforcement.
- RCW 70.124.030 mandates the reporting of suspected abuse or neglect of state hospital patients.

Chapter 74.34 RCW divides reporters into two types: mandated and permissive. Per RCW 74.34.020, "Mandated reporter" is an employee of the department; law enforcement officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW (Regulation of health professions-Uniform disciplinary act).

"Permissive reporter" means any person, including but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

Under state law, volunteers at a facility or program providing services to vulnerable adults fall into the permissive category. However, in order for contractors, volunteers, interns, and work study students to work in regional Field Services offices, Residential Habilitation Centers (RHC), and State Operated Living Alternatives (SOLA), they must agree to follow mandatory reporting requirements

The Developmental Disabilities Administration (DDA) requires all contracted residential providers to report a broader scope of serious and emergent incidents to the Administration per DDA Policy 6.12 (Residential Reporting Requirements). Serious and emergent incidents are reported to DDA via fax, telephone and e-mail.

More detail is provided below and is broken out by incidents concerning children, incidents concerning adults, and the incidents that must be reported and entered into DDA's Electronic Incident Reporting System.

Children

The State requires that "abuse" and "neglect" be reported for review and follow-up action by an appropriate authority.

Per RCW 26.44.020(1): "Abuse or neglect" means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100 (Use of force on children-Policy-Actions presumed unreasonable); or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

Who must report instances of suspected child abuse and neglect and the timelines associated with reporting are contained in RCW 26.44.030 (Reports-Duty and authority to make-Duty of receiving agency....).

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, or state family and children's ombuds or any volunteer in the ombuds's office has reasonable cause to believe that a child has suffered abuse or neglect, he/she/they shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040 (Reports-Oral, written-Contents).

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060 (Witnesses-Competency-Who is disqualified-Privileged communications).

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he/she/they shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this

subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11, 13, and 26 RCW, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016 (Colleges and universities generally-Definitions), and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him/her/they other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

Adults

The State requires the following types of critical events or incidents be immediately reported for review and follow-up action by an appropriate authority by authority pursuant to RCW 74.35, Abuse of Vulnerable Adults and DDA Policies 5.13, Protection from Abuse – Mandatory Reporting and Policy 12.01, Incident Reporting and Management for DDA Employees:

- Abandonment
- Abuse (including sexual, physical and mental)
- Exploitation
- Financial exploitation
- Improper use of restraint (including physical, mechanical or chemical restraint)
- Isolation
- Neglect
- Mistreatment
- Self-neglect

Types of Abuse under RCW 74.34.020 (Abuse of vulnerable adults-Definitions)

1. Abandonment means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the

vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

2. Abuse means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and personal exploitation of a vulnerable adult which have the following meanings:

(a) Sexual abuse means any form of nonconsensual sexual contact including, but not limited to, unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse also includes any sexual contact between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under Chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under Chapter 71A.12 RCW, whether or not it is consensual.

(b) Physical abuse means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to: striking with or without an object, slapping, pinching, choking, kicking, shoving or prodding.

(c) Mental abuse means a willful verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. Mental abuse may include ridiculing, yelling, or swearing.

(d) Personal exploitation means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(e) Improper use of restraint means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline or in a manner that: (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

3. Financial exploitation means the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. Financial exploitation includes, but it not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust or confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his/her/their property, income, resources, or trust funds.

4. Neglect means: (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

5. Self-neglect means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

Referrals are received in any format used by the referent including email, phone calls, or postal mail and the referrals are then routed to the appropriate investigative body. Referrals for abuse, neglect, exploitation, or abandonment can be made directly to APS or the CRU through the use of the Regional APS intake line or the RCS Complaint Resolution Unit (CRU) toll-free number. The State also provides an End Harm hotline where any type of referral can be made and the referral is routed to the appropriate investigative entity.

Intake reports are first screened for the need for emergency response and the appropriate emergency responder is notified if indicated. Reports are then evaluated for jurisdiction for either Adult Protective Services or Complaint Resolution Unit, whether the intake will result in a full investigation and if so the time frames for the investigation. Reports are then prioritized and assigned for investigation as described in G 1-d.

Required reporting of allegations involving waiver participants: What, when and to whom:

RCW 74.34.035 Reports (excerpt):

(1) When there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable

adult has occurred, mandated reporters shall immediately report to the department.

(2) When there is reason to suspect that sexual assault has occurred, mandated reporters shall immediately report to the appropriate law enforcement agency and to the department.

(3) When there is reason to suspect that physical assault has occurred or there is reasonable cause to believe that an act has caused fear of imminent harm:

(a) Mandated reporters shall immediately report to the department; and

(b) Mandated reporters shall immediately report to the appropriate law enforcement agency, except as provided in subsection (4) of this section.

(4) A mandated reporter is not required to report to a law enforcement agency, unless requested by the injured vulnerable adult or his or her legal representative or family member, an incident of physical assault between vulnerable adults that causes minor bodily injury and does not require more than basic first aid, unless:

(a) The injury appears on the back, face, head, neck, chest, breasts, groin, inner thigh, buttock, genital, or anal area;

(b) There is a fracture;

(c) There is a pattern of physical assault between the same vulnerable adults or involving the same vulnerable adults; or

(d) There is an attempt to choke a vulnerable adult.

DDA Electronic Incident Reporting System.

Per DDA Policy 12.01 (Incident Reporting and Management for DDA Employees), DDA staff are required to input Serious and Emergent incidents into an Electronic Incident Reporting System. Policy 12.01 applies to all DDA employees except employees of State Operated Living Alternatives (SOLA) programs and Community Crisis Stabilization Services (CCSS). For SOLA and CCSS incident reporting, DDA Policy 6.12 Incident Management and Reporting Requirements for Residential Service Providers governs reporting requirements. All DDA volunteers, interns, and work-study students are covered by DDA Policy 12.01.

DDA Policy 12.01 describes the process the Developmental Disabilities Administration (DDA) will use to protect, to the extent possible, the health, safety, and well-being of Administration clients, and to ensure that abandonment, abuse, exploitation, financial exploitation, neglect and self-neglect is reported, investigated, and resolved; and to ensure that procedures are in place to prevent abuse.

Incident types reported and tracked by DDA per Policy 12.01 include:

- Abuse
- Neglect
- Choking
- Client arrested with charges or pending charges for a violent crime
- Exploitation
- Improper use of restraint
- Criminal activity by a client
- Known criminal activity perpetrated by a DSHS employee, volunteer, licensee, or contractor
- Client-to-client abuse
- Abandonment
- Suspicious or unusual Death
- Death of client supported by RHC, SOLA or CCSS
- Death of a live-in care provider
- Suicide
- Suicide attempt
- Medication Errors
- Emergency Use of Restrictive Procedures
- Serious Injuries
- Community protection client signs out of the program
- Client's provider or family declines to support client after a hospital or psychiatric discharge
- Criminal Activity
- Hospitalization following an injury of unknown origin
- Inpatient admission to a state or local psychiatric hospital
- Missing clients
- Mental Health Crisis
- Natural disaster
- Known media interest or litigation

Timelines established by DDA Policy 12.01 are:

ONE-HOUR PROTOCOL

A. One-hour protocol includes:

1. A phone call to DDA central office no more than one hour after becoming aware of an incident; and
2. An incident report no more than one working day after becoming aware of an incident.

B. A DDA employee must follow one-hour protocol if any of the following occur:

1. Alleged sexual abuse of a client by a DSHS employee, volunteer, licensee, or contractor;
2. Choking – client chokes on food, liquid, or object and requires physical intervention, regardless of outcome.

Examples of physical interventions include abdominal thrusts, suctioning and finger sweeps.

3. Client is missing from a CCSS, SOLA, or RHC (for all other missing clients, see one-day protocol incidents below);
4. Client is arrested with charges or pending charges for a violent crime.

5. Death of a client supported by an RHC, SOLA, or CCSS;

6. Hospitalization following an injury of unknown origin or suspected abuse or neglect;

7. Know media interest or litigation; Note: Know media interest or litigation must be reported to a Regional Administrator or Superintendent and Central Office within one hour. If the issue also meets other incident reporting criteria, follow up with an electronic incident report within one working day. Positive news stories do not require an electronic incident report.

8. Natural disaster or conditions threatening client safety or program operations;

9. Suicide;

10. A suicide attempt, which means a non-fatal, self-directed, potentially injurious behavior with an intent to die as a result of the behavior.

11. Suspicious or unusual death of a client (i.e. likely to result in investigation by law enforcement, APC, CPS, or RCS).

Continued at B. Optional

- c. Participant Training and Education.** Describe how training and/or information is provided to participants (and/or families or legal representatives, as appropriate) concerning protections from abuse, neglect, and exploitation, including how participants (and/or families or legal representatives, as appropriate) can notify appropriate authorities or entities when the participant may have experienced abuse, neglect or exploitation.

The Developmental Disabilities Administration (DDA) works with the Aging and Long-Term Support Administration (AL TSA), the Department of Children, Youth and Families (DCYF), and the DSHS Communications Division on education efforts for clients, families and providers associated with DSHS. Washington State has designated November as Vulnerable Adult Awareness Month.

DSHS also started an End Harm campaign a number of years ago. DDA participates in this campaign which is aimed at shedding light on abuse and educating the general public as well as DSHS staff and consumers. A statewide number (1-866-EndHarm) was implemented several years ago. Anyone can call this number to report any type of abuse or neglect against a vulnerable person 24 hours per day and 7 days per week. The End Harm toll free number is promoted via news releases, the internet, DDA's Assistant Secretary's Corner and AL TSA publications. Participants receive information at least annually during their annual assessment about how to report any type of abuse or neglect of a vulnerable adult or child. The End Harm number is identified on the Meeting Wrap up form that is reviewed at the end of each annual assessment.

All providers receive mandatory reporter training. Individual and AFH/ARC providers receive training via the Fundamentals of Caregiver training. DDA residential program employees receive training from their employer. In addition, residential programs post contact information to report abuse and neglect in the participant's home.

Every DDA CRM/Social Service Specialist receives mandatory reporter/incident management training within their region. This training will be provided in each region at least once per quarter, with special emphasis and priority given to those field service employees you have recently joined the administration.

- d. Responsibility for Review of and Response to Critical Events or Incidents.** Specify the entity (or entities) that receives reports of critical events or incidents specified in item G-1-a, the methods that are employed to evaluate such reports, and the processes and time-frames for responding to critical events or incidents, including conducting investigations.

Investigations of abuse, neglect, and exploitation of adults are conducted by two investigative bodies: Residential Care Services (RCS) and Adult Protective Services (APS). Investigations regarding children are conducted by Child Protective Services (CPS).

Residential Care Services: RCS has primary investigative responsibility for alleged reports of provider practice violations related to abuse, neglect, exploitation, and abandonment of vulnerable adults in all licensed and/or certified settings regulated by RCS.

RCS reviews provider systems to see if a failed practice contributed to any finding of abuse, neglect, abandonment, self-neglect, and financial exploitation. If failed provider practice is identified, RCS will issue a citation to the provider under the appropriate section of Certified Community Residential Services and Supports Chapter 388-101 WAC; Requirements for Providers of Residential Services and Supports Chapter 388-101D WAC; Adult Family Homes Chapter 388-76 WAC; Assisted Living Facility Licensing Chapter 388-78A WAC and Residential Habilitation Centers – Compliance Standards Chapter 388-111 WAC. The provider must submit and implement a corrective action plan, which is subject to on-site verification by RCS.

RCS documents their conclusion of their investigations in TIVA (Tracking Incidents for Vulnerable Adults). RCS sends the Statement of Deficiencies (the official written report document from RCS staff that identifies violations of statute(s) and/or regulations, failed facility practice(s) and relevant findings found during a complaint/incident investigation) to providers within 10 days and will document their conclusion of their investigations in TIVA within 15 days of the last day of data collection. For each allegation, the RCS investigators complete data entry into the RCS complaint investigation tracking systems and are required to record a data-qualifier in relation to the decision of the substantiated or unsubstantiated finding.

Those qualifiers are as follows for substantiated investigations:

- Federal deficiencies related to the allegation are cited
- State deficiencies related to the allegation are cited
- No deficiencies related to the allegation are cited, or
- Referral to appropriate agency

For “unsubstantiated” investigations, the following qualifiers are used:

- Allegation did not occur
- Lack of sufficient evidence
- Referral to appropriate agency

When a provider practice investigation is completed, RCS determines whether:

- The allegations are substantiated or unsubstantiated;
- The facility or provider failed to meet any of the regulatory requirements; and,
- The provider practice or procedure that contributed to the complaint has been changed to achieve and/or maintain compliance.

RCS utilizes a centralized statewide intake unit, the Complaint Resolution Unit (CRU), for the purpose of receiving reports of alleged abuse, neglect and financial exploitation for all licensed and certified Long Term Care residential providers. Referrals from the DDA incident reporting system, reports from the public and reports from mandated reporters are received and processed through this unit. RCS Field investigators receive prioritized referrals from the centralized intake unit and respond by conducting on-site investigations

RCS is centrally located in Olympia. RCS investigates licensed or certified residential providers. RCS prioritizes reports for investigation based upon on the severity and immediacy of actual or potential harm. Complaint investigation response times are 2 days, 10 days, 20 days, 45 days, or 90 days and Quality Reviews. All of these categories require an on-site investigation, except for the Quality Review category. Any situation that involves imminent danger is reported to law enforcement immediately. Any report received from a public caller is assigned an on-site investigative response time.

Adult Protective Services: Under state authority, Adult Protective Services (APS) receives reports and conducts investigations of alleged abuse (physical, mental, sexual and exploitation of person), abandonment, neglect, self-neglect and financial exploitation in order to determine whether the alleged abuse, etc. occurred and if so who was/were the perpetrator(s).

APS is located in Olympia and APS investigators are located in regional offices throughout the state. Investigations are prioritized based on the severity and immediacy of actual or potential harm. Emergent issues are referred to 911. The APS investigator meets face to face with the alleged victim within 24 hours for all reports categorized as “high; within five working days for a medium” priority report; and within ten working days for a low”priority report. A shorter

response time may be assigned on a case by case basis.

APS investigations are completed within 90 days of assignment unless necessary investigation or protective services activity continues. If a case remains in "investigating" or "investigation pending" status 90 days after intake, APS supervisors review the case at least every 30 days thereafter for the duration of the case.

The participant or the participant's representative is informed of the results of the investigation. For unsubstantiated results the participant/representative receives verbal notification at the end of the investigation. For substantiated results, the participant receives verbal notification (written when requested) at two stages throughout the investigation; (1) when a determination by the investigator to recommend that the allegation be substantiated and (2) when this determination has been reviewed by the regional reviewing authority.

Child Protective Services: Under state authority, Child Protective Services (CPS) within the Department of Children, Youth and Families (DCYF) is responsible for receiving and investigating reports of suspected child abuse and neglect. The primary purpose of the CPS program is to assess risk of child maltreatment rather than to substantiate specific allegations of child abuse and neglect. Any referral received from a commissioned law enforcement officer stating a parent has been arrested for Criminal Mistreatment in the fourth degree under RCW 9A.42 is screened in and assigned for investigation.

When someone reports that a child may be abused or neglected, CPS is required by law to investigate. A report of suspected child abuse or neglect could be made to CPS or the police. Even though CPS staff and the police work together, they make separate investigations. CPS conducts family assessments, and the police conduct criminal investigations.

Upon receipt of a report concerning the possible occurrence of abuse and/or neglect, CPS begins a risk assessment. The risk assessment begins with a review of the information with the reporter to determine if there is sufficient information to locate the child; identify the perpetrator as a parent or caretaker; and determine whether the allegation is a situation of child abuse or neglect or there is a risk of harm to the child. Referrals which are determined to contain sufficient information may be assigned for investigation or other community response.

CPS workers must complete the intake process with referral information recorded in the FamLink (DCYF case management system) within:

a. 4 hours from the date and time DCYF receives the following referrals:

1. Emergent CPS or DLR (Division of Licensed Resources)/CPS
2. Family Reconciliation Services (FRS)

b. 4 business hours (business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday) from the date and time DCYF receives Non-Emergent CPS or DLR/CPS referrals.

c. 2 business days from the date and time DCYF receives the following referrals:

1. Information Only
2. CPS - Alternate Intervention
3. Third Party
4. Child Welfare Services (CWS)
5. Licensing Complaint
6. Home Study

If additional victims identified during the course of an investigation are determined:

a. To be at risk of imminent harm, a social worker will have face to face contact within 24 hours from the date and time they are identified.

b. NOT to be at risk of imminent harm, a social worker will have face to face contact within 72 hours of the date and time they are identified.

The assigned social worker must:

a. Contact the referrer if the intake information is insufficient or unclear and may provide information about the outcome of the case to mandated referrers.

b. Conduct a face-to-face investigative interview with child victims within 10 calendar days from date of referral.

CPS is a continuum of protection consisting of different but complementary functions. Intervention designed to protect children from abuse and neglect must include permanency planning goals from the onset of the case and must be updated at 90-day intervals.

When it appears that a child is in danger of being harmed, or has already been seriously abused or neglected, a police officer can place the child in protective custody. Custody of the child is then transferred to CPS, which places the child with a relative or in foster care. By law, a child can be kept in protective custody for no more than 72 hours, excluding

weekends and legal holidays. If the child is not returned to the parents or some other voluntary arrangement made within 72 hours, the matter must be reviewed by a court.

In very serious cases of abuse and neglect, a child can be removed permanently from the parents (i.e., termination of parental rights). When this happens the child becomes legally free through a court procedure. The parent no longer has any rights or responsibilities toward the child. If a parent voluntarily gives up a child for adoption, this is called relinquishing parental rights.

Child Welfare Services (CWS) within the DCYF provides services to children and families with long-standing abuse and neglect problems. Typically these children have been removed from the family home and are in the foster care system. The focus of CWS is to achieve a permanent plan and placement for these children as soon as possible.

CPS seeks to complete investigations within 45 days, but it may take up to 90 days if law enforcement is involved.

Outcome notices are sent to relevant parties upon investigation completion.

CPS, RCS and APS are using the FamLink (DCYF case management system) and TIVA (Tracking Incidents for Vulnerable Adults) systems to document investigation activities including intake of complaints and outcome reports.

There is an electronic connection between FamLink/TIVA and the CARE system to notify case managers of a) complaints that are referred for investigations and b) investigation outcomes. This is an electronic notification that is identified in the individual's CARE record.

The Aging and Long-Term Support Administration receives nightly data feeds from the TIVA (Tracking Incidents for Vulnerable Adults) system that are used in this AL TSA/DDA reporting system. TIVA information is reviewed to determine if client information matches DDA waiver participants who are identified in CARE. DDA uses this reporting system to address specific programmatic and provider issues from the outcomes of the waiver clients who were involved in investigations by Residential Care Services (RCS), Adult Protective Services (APS) and/or Child Protection Services (CPS) for whom a report of abuse, neglect, abandonment, or financial exploitation was substantiated. The data are broken out by type of incident and provider type.

- e. Responsibility for Oversight of Critical Incidents and Events.** Identify the state agency (or agencies) responsible for overseeing the reporting of and response to critical incidents or events that affect waiver participants, how this oversight is conducted, and how frequently.

Under state authority, Child Protective Services (CPS) within the Department of Children, Youth and Families (DCYF) is responsible for receiving and investigating reports of suspected child abuse and neglect.

When someone reports that a child may be abused or neglected, CPS is required by law to investigate. A report of suspected child abuse or neglect could be made to CPS or the police. Even though CPS staff and the police work together, they make separate investigations. CPS conducts family assessments, and the police conduct criminal investigations.

Residential Care Services is responsible for overseeing the certification of all certified residential programs. Mandatory reporting, and mandatory reporter training are among the standards they evaluate per Washington Administrative Code. Certification occur a minimum of every two years, but the certification length can be reduced depending on the regulatory concerns.

DDA, utilizing contracted evaluators, is responsible to complete the certification reviews for Alternative Living, Companion Homes, Overnight Planned Respite, Children's SOLA, and Community Crisis Stabilization Services.

RCS Field Managers (supervisors) review prioritized complaints assigned from the centralized intake unit. As needed, supervisors work directly with investigative staff in developing investigative plans and may assist investigators with coordination activities.

The RCS Assistant Director and the Quality Assurance (QA) Administrator receive copies of serious and immediate complaint intakes at the same time that the initial referrals are sent from CRU to the field. Both of these individuals monitor the progress of investigative response to these incidents.

RCS Field Managers review the results of all investigated complaints; ensure that investigation activities were thorough and complete and that no follow-up activities are required. Field Managers also make recommendations to HQ and assist with coordination of enforcement activities.

RCS provider practice substantiation rates are monitored by DDA through data pulled from the TIVA (Tracking Incidents for Vulnerable Adults) system. Intakes and investigations can be reviewed by program, by type, and by facility. Trends and patterns are identified and analyzed to determine if substantiated areas of non-compliance negatively impacted waiver clients living in the licensed or certified setting. Analyses include a review of the general scope and severity of the non-compliance, and whether or not RCS enforcement processes resulted.

RCS and the Aging and Long-Term Support Administration are using the TIVA system to document investigation activities including intake of complaints and outcome reports. There is an electronic connection between the TIVA and the CARE system to notify case managers of a) complaints that are referred for investigations and b) investigation outcomes. This is an electronic notification that is identified in the individual's CARE record.

DDA requires serious and emergent incidents to be entered into a statewide electronic incident reporting system per DDA Policy. Incidents are entered into the system by DDA CRMs and Social Service Specialists with notification sent to appropriate staff. DDA's Incident Reporting Application data is used to develop statewide training for case/resource managers and the community on trends and issues concerning abuse, neglect, abandonment, exploitation and suspicious deaths of children and adults.

Adult Protective Services (APS) is a statewide program within the operating agency. The intakes, investigations and protective services performed by APS are continuously monitored at both the state and the regional levels. For example:

- Regional supervisors and program managers conduct on-going quality assurance audits of APS case records.
- The APS program has implemented a statewide QA monitoring process that includes record reviews and a formal in-person skills evaluation conducted by a supervisor during an actual APS investigation.
- Several reports based on data pulled from the statewide APS data base are routinely generated and evaluated at least annually by program managers and upper management at the state office.
- The regions use a report system tool that enables them to create customized reports pulled from the statewide data base to track, monitor and evaluate implementation of APS in their region.

DDA Regional Quality Assurance staff in all three regions provides ongoing monitoring of the DDA Incident Reporting application. The Central Office Incident Program Manager is responsible for the monitoring and oversight of all significant incidents. A Central Office Incident Report team meets monthly to review aggregate data, trends and patterns and staff incidents of particular concern.

Aggregate data analyzed by DDA Central Office is also sent out to the regions for follow up. Regional analysis is tracked and discussed at the Regional Quarterly Quality Assurance Meeting. Best practices and significant issues are presented to the Full Management Team four times per year.

Information and findings are communicated to the Medicaid agency at least quarterly via the HCA Medicaid Agency

Waiver Management Committee.

Appendix G: Participant Safeguards

Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (1 of 3)

a. Use of Restraints. *(Select one): (For waiver actions submitted before March 2014, responses in Appendix G-2-a will display information for both restraints and seclusion. For most waiver actions submitted after March 2014, responses regarding seclusion appear in Appendix G-2-c.)*

☐ **The state does not permit or prohibits the use of restraints**

Specify the state agency (or agencies) responsible for detecting the unauthorized use of restraints and how this oversight is conducted and its frequency:

☒ **The use of restraints is permitted during the course of the delivery of waiver services.** Complete Items G-2-a-i and G-2-a-ii.

i. Safeguards Concerning the Use of Restraints. Specify the safeguards that the state has established concerning the use of each type of restraint (i.e., personal restraints, drugs used as restraints, mechanical restraints). State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Safeguards that address methods for detecting the unauthorized use of restraints include a robust case management system with eyes-on visits with clients during annual assessments and significant change assessments, periodic monitoring visits, consultations with nursing care consultants, service provider reports, incident reports, complaints to Adult Protective Service, Children's Protective Service and Compliant Resolution Unit, law enforcement reports, and Ombuds reports.

Introduction:

The following information is applicable to paid providers and licensed/certified settings that are available to waiver participants for in-home Positive Behavior Support and Consultation providers and to all residential providers. DDA safeguards concerning the use of each type of restraint do not apply to family members (e.g., parents, siblings, relatives) unless they are paid providers of the Department of Social and Health Services.

Protections against the inappropriate use of restraints and restrictive procedures are contained in state law and rules concerning abuse and neglect (i.e., as described in Appendix G-1).

The Positive Behavior Support Plan:

The basic tool used by the DDA to address challenging behaviors is the Positive Behavior Support Plan (PBSP). PBSPs are in addition to the individualized person-centered service plan and DDA Policy 5.14 Positive Behavior Support Principles provides guidance to staff.

A PBSP consists of the following sections:

- a. Prevention Strategies;
- b. Teaching/Training Supports;
- c. Strategies for Responding to Challenging Behaviors; and
- d. Data Collection and Monitoring.

PBSPs are specifically required when:

1. The use of certain restrictive interventions is planned or used. DDA Policies 5.15 Restrictive Procedures - Community, 5.19 Positive Behavior Support for Children and Youth, and 5.20 Restrictive Procedures and Physical Interventions with Children and Youth provide more information regarding PBSPs.
2. An individual is taking psychoactive medications to reduce challenging behavior or treat a mental illness. DDA Policy 5.16 Use of Psychotropic Medications provides more information.
3. Certain restrictive physical interventions are planned or used. DDA Policies 5.17 Physical Intervention Techniques and 5.20 Restrictive Procedures and Physical Interventions with Children and Youth contain more information.

When challenging behaviors are identified, a written Functional Assessment governed by DDA Policy 5.21 Functional Assessments and Positive Behavior Support Plans and PBSP must be completed within ninety (90) days. All PBSPs must be agreed to by the individual or legally responsible individual.

Conditions under which a restraint may be applied:

Physical restraints, mechanical devices used as a restraint and chemical restraints may be used solely to treat a participant's behavior that poses a safety or health risk. Per DDA policy, restraints may not be used for the purposes of discipline or convenience.

The use of mechanical or physical restraints during medical and dental treatment is acceptable if under the direction of a physician or dentist and consistent with standard medical/dental practices. DDA Policy 5.17 Physical Intervention Techniques provides additional detail.

Identification of a specific and individualized assessed need:

If a restraint is to be used to treat challenging behavior, it must be supported by a functional assessment as described in DDA Policy 5.21 Functional Assessments and Positive Behavior Support Plans. All Functional Assessments must contain four major sections:

- Description and Pertinent History;
- Definition of Challenging Behavior(s);
- Data Analysis/Assessment Procedures; and
- Summary Statements.

Based on the Functional Assessment, a written Positive Behavior Support Plan is implemented to reduce or eliminate the individual's need to engage in the challenging behavior(s).

Informed Consent:

The use of restraints is voluntary and the participant or representative must give informed consent, which is documented in the individual's PCSP and PBSP. The participant or representative is always included in the development of the person centered service plan, as well as a PBSP. The participant or representative is made aware of the risks and the right to refuse the restraint. The participant or legal guardian has the right to refuse any service (including the use of restraints) or medication at any time.

Positive interventions, supports and less intrusive methods must be employed prior to the use of restraints: Prior to the use of restraints, alternative strategies must be tried. The person-centered service plan contains positive and less intrusive interventions that must be employed for any identified behavior. The participant's negotiated care plan includes strategies, therapeutic interventions, and required staff behavior to address the symptoms for which the restraint is prescribed. The plan addresses a participant's special needs and responses to a participant's refusal of care and the need to reduce tension, agitation or anxiety. The provider must document in the negotiated care plan other strategies or modifications used to avoid restraints.

When a waiver participant receives psychotropic medication, non-pharmaceutical supports used to assist in the treatment of the individual's symptoms or behaviors must be documented in the individual's Positive Behavior Support Plan.

Participants must have an assessed need proportionate to the use of restraints:

The need for a restraint must be assessed by a specialist in challenging behaviors. This information must then be incorporated into the participant's PCSP, the Functional Assessment that details the challenging behaviors and their precursors, and the PBSP. The conditions under which a restraint may be used must be documented in the participant's PCSP and PBSP. Documentation must reflect the symptom related to behavior for which a restraint is being used, when a restraint may be used, and how the restraint should be used.

The use of chemical restraints is governed by DDA Policies 5.15 and 5.16. If the waiver participant appears to be displaying symptoms of mental illness and/or persistent challenging behavior, any physical, medical, or dental conditions that may be causing or contributing to the behavior must first be considered.

If no physical or other medical condition is identified, then a psychiatric assessment is conducted. After the assessment, if the treatment professional recommends psychoactive medication, the prescribing professional or agency staff documents this in a Psychotropic Medication Treatment Plan (PMTP). The plan must include the following:

- a. A description of the behaviors, symptoms or conditions for which the medication is prescribed;
- b. The name, dosage, and frequency of the medication;
- c. The length of time considered sufficient to determine if the medication is effective;
- d. The behavioral criteria to determine whether the medication is effective; and
- e. The anticipated schedule of visits with the prescribing professional.

Collection and review of data to measure the ongoing effectiveness of the restraint:

Per DDA Policy 5.14 and 5.21, the PBSP must:

- Operationally define the goals of the PBSP in terms of specific, observable behaviors.
- Indicate what data is needed to evaluate success (e.g., frequency, intensity and duration of target behaviors).
- Provide instructions to staff or caregivers on how to collect this data (e.g., forms, procedures) i.e., frequency, intensity and duration.
- List who will monitor outcomes, need for revisions, and evaluate success and process for monitoring.
- Recommend displaying data in a graph over time for easy analysis.

Per DDA Policies 5.15, Restrictive Procedures: Community and 5.20, Restrictive Procedures and Physical Interventions with Children and Youth, the program staff responsible for PBSPs must review the plan at least every thirty (30) days. If the data indicates progress is not occurring after a reasonable period, but no longer than six (6) months, the PBSP must be reviewed and revisions implemented as needed.

Per DDA Policy 5.16 Psychotropic Medications, with respect to psychoactive medication the prescribing professional should see the individual at least every three (3) months. The continued need for the medication and possible reduction in medication is assessed at least annually by the prescribing professional.

Periodic review of restraint usage:

The PCSP and PBSP must be reviewed at least annually (and in the case of positive behavior support and

consultation provider to children and youth in the family home, providers must submit quarterly progress reports) and updated at any time the use of a restraint (including psychoactive medication) becomes ineffective, is no longer needed or becomes unsafe.

When challenging behaviors are identified, a written Functional Assessment and PBSP must be completed within ninety (90) days. If the data indicates progress is not occurring after a reasonable period, but no longer than six (6) months, the FA and the PBSP must be reviewed and revisions implemented as needed.

Restraints may not cause harm:

The use of restraints must be deemed safe and appropriate per DDA policies concerning the use of restraints and restrictive procedures. The waiver participant or representative is informed of any risks and may choose to decline the use of restraints at any time.

Education and training requirements for providers involved in the use of restraints:

All staff using physical interventions must have prior training in the use of such techniques according to the facility or agency's policy and procedures. Staff must also receive training in crisis prevention techniques and positive behavior support. Staff receiving physical intervention techniques training must complete the course of instruction and demonstrate competency before being authorized to use the techniques with waiver participants. All residential service providers must have documentation of prior training in the use of physical intervention techniques.

A review of de-escalation techniques and physical intervention techniques with all service providers and members of a child/youth's support team must occur annually before continuing to be used with the child/youth.

Regarding the use of psychotropic medications, staff and family members are informed of the anticipated impact of the medication and its potential side effects. Staff and/or family members monitor the waiver participant to determine if the medication is being effective and communicate when it is not effective to the prescribing professional.

References:

- DDA Policy 5.11: Restraints
- DDA Policy 5.14: Positive Behavior Support Principles
- DDA Policy 5.15: Restrictive Procedures: Community
- DDA Policy 5.16: Psychotropic Medications
- DDA Policy 5.17: Physical Intervention Techniques
- DDA Policy 5.19: Positive Behavior Support for Children and Youth
- DDA Policy 5.20: Restrictive Procedures and Physical Interventions with Children and Youth
- DDA Policy 5.21: Functional Assessments and Positive Behavior Support Plans

ii. State Oversight Responsibility. Specify the state agency (or agencies) responsible for overseeing the use of restraints and ensuring that state safeguards concerning their use are followed and how such oversight is conducted and its frequency:

The Department of Social and Health Services (DSHS) through the Aging and Long-Term Support Administration (AL TSA) and the Department of Children, Youth and Families (DCYF) through Child Protective Services (CPS) is responsible for investigating the unauthorized use of restraints. Under state authority RCW 74.34, AL TSA Residential Care Services receives reports and conducts investigations of abuse, neglect, exploitation and abandonment for individuals enrolled with the Developmental Disabilities Administration. AL TSA's Adult Protective Services (APS) investigates the perpetrators of abuse and neglect occurring in nursing homes, adult residential care facilities, adult family homes, supported living programs and adults residing in their own homes. Under state authority contained in Chapter 26.44 RCW, CPS within the Department of Children, Youth and Families (DCYF) is responsible for receiving and investigating reports of suspected child abuse and neglect. DDA's Incident Report Application generates reports that permit management to periodically review incidents and to categorize incidents by type, location, provider involvement, hospitalization, and outcome and to identify trends and patterns. Based on these trends and patterns, improvement strategies can be developed and implemented.

DDA monitors the use of unauthorized restraints and takes corrective action through:

- Reports received in the DDA Incident Reporting system,
- Reports submitted to APS,
- Reports submitted to RCS,
- Reports submitted to CPS,
- The face to face DDA Assessment process conducted yearly and at times of significant change,
- The DDA grievance process, and
- DDA Quality Assurance activities that include face to face interviews of clients and review of complaints.

DDA's Incident Report Application is overseen by a dedicated program manager who meets regularly with regional quality assurance staff and senior management to review incident management reports, review response times for incident follow-up and identify trends and patterns that require management action and improvement strategies.

RCS and APS are using the TIVA system to document investigation activities including a) intake of complaints and b) outcome reports. There is an electronic connection between the FamLink and the CARE system to notify case managers of a) complaints concerning treatment of children that are referred for investigations and b) investigation outcomes. This is an electronic notification that is included in the individual's CARE record.

DDA Policies 5.11, 5.14, 5.15, 5.16, 5.17, 5.19, 5.20 and 5.21 (see G-2.b.i) specify the requirements for the use and documentation of any type of restraint (mechanical or pharmacological). Only the least restrictive intervention needed to adequately protect the individual, others, or property may be used, and must be terminated as soon as the need for protection is over. Approved restraint use must be fully documented and reviewed at least monthly by the residential provider and at least quarterly by the waiver participant's interdisciplinary team. Any emergency use of a restraint requires an incident report to DDA headquarters where it is reviewed by the Incident Management Program Manager.

RCS has contracted evaluators who evaluate the residential agencies/programs at least once every two years. Their review always includes any use of restraints, restrictive procedures, or use of psychoactive medications.

Quality Compliance Coordinator (QCC) staff review yearly the positive behavior support plans (PBSPs) of a sample of waiver participants. One focus is on instances in which the PBSP includes a restraint that requires approval through an exception to rule (ETR). When the QCC team identifies PBSPs requiring an ETR that did not have an ETR, the QCC team verifies that individual corrective action was completed within 90 days and reports to DDA management on any systems issues.

References:

- Chapter 26.44 RCW: Abuse of Children
- Chapter 74.34 RCW: Abuse of Vulnerable Adults
- DDA Policy 5.11: Restraints
- DDA Policy 5.14: Positive Behavior Support Principles
- DDA Policy 5.15: Restrictive Procedures: Community
- DDA Policy 5.16: Psychotropic Medications

-DDA Policy 5.17: Physical Intervention Techniques
 -DDA Policy 5.19: Positive Behavior Support for Children and Youth
 -DDA Policy 5.20: Restrictive Procedures and Physical Interventions with Children and Youth
 -DDA Policy 5.21: Functional Assessments and Positive Behavior Support Plans

Appendix G: Participant Safeguards

Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (2 of 3)

b. Use of Restrictive Interventions. (*Select one*):

- ☐ **The state does not permit or prohibits the use of restrictive interventions**

Specify the state agency (or agencies) responsible for detecting the unauthorized use of restrictive interventions and how this oversight is conducted and its frequency:

- ☒ **The use of restrictive interventions is permitted during the course of the delivery of waiver services** Complete Items G-2-b-i and G-2-b-ii.

i. Safeguards Concerning the Use of Restrictive Interventions. Specify the safeguards that the state has in effect concerning the use of interventions that restrict participant movement, participant access to other individuals, locations or activities, restrict participant rights or employ aversive methods (not including restraints or seclusion) to modify behavior. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency.

DDA Policy 5.15 Restrictive Procedures: Community lists the following permitted restrictive procedures that must be addressed in the client's function assessment and positive behavior support plan: 1) requiring a client to leave an area with physical coercion for protection of the client, others, or property; 2) using door or window alarms to monitor clients who present a risk to others, such as being sexually or physically assaultive; 3) necessary supervision to prevent dangerous behavior; 4) taking away items that could be used as weapons when client has a documented history of making threats or inflicting harm with those or similar items, such as knives, matches, lighters, etc.; 5) removing client property being used to injure one's self, others, or property; 6) physical restraint to prevent the free movement of part or all of the client's body with the exception of seated restraints, which require an ETP, and prohibited restraints; and 7) mechanical restraint used to limit the client's free movement or prevent the client from self-injury when the client cannot independently remove the device, such as a helmet, arm splints, seatbelts use outside of a motor vehicle, etc.

Methods for detecting the unauthorized use of restrictive interventions include a robust case management system with eyes-on visits with clients during annual assessments and significant change assessments, periodic monitoring visits, consultations with nursing care consultants, service provider reports, incident reports, complaints to Adult Protective Service, Children's Protective Service and Compliance Resolution Unit, law enforcement reports, and Ombuds reports.

Introduction:

The following information is applicable to paid providers and licensed/certified settings that are available to waiver participants for respite care, as well as to providers of in-home Positive Behavior Support and Consultation. DDA safeguards concerning the use of restrictive interventions do not apply to family members (e.g., parents, siblings, relatives) unless they are paid providers of the Department of Social and Health Services.

Protections against the inappropriate use of restraints and restrictive interventions are contained in state law and rules concerning abuse and neglect (i.e., as described in Appendix G-1).

The Positive Behavior Support Plan:

The basic tool used by the DDA to address challenging behaviors is the Positive Behavior Support Plan (PBSP). PBSP's are in addition to the individualized person-centered plan.

A written PBSP must have the following sections:

- a. Prevention Strategies;
- b. Teaching/Training Supports;
- c. Strategies for Responding to Challenging Behaviors; and
- d. Data Collection and Monitoring.

PBSPs are specifically required when:

1. The use of certain restrictive interventions is planned or used. DDA Policy 5.15, Restrictive Procedures: Community, DDA Policy 5.19, Positive Behavior Support for Children & Youth, and DDA Policy 5.20, Restrictive Procedures and Physical Interventions with Children and Youth, provide more information and requirements regarding PBSPs.
2. An individual is taking psychotropic medications to reduce challenging behavior or treat a mental illness. DDA Policy 5.16, Psychotropic Medications provides more information.
3. Certain restrictive physical interventions are planned or used. DDA Policy 5.17, Physical Intervention Techniques, and DDA Policy 5.20, Restrictive Procedures and Physical Interventions with Children and Youth, contain more information and related requirements.

When challenging behaviors are identified, a written Functional Assessment and PBSP must be completed within ninety (90) days. If the data indicates progress is not occurring after a reasonable period, but no longer than six (6) months, the FA and the PBSP must be reviewed and revisions implemented as needed.

All PBSPs must be agreed to by the individual or legally responsible individual.

Conditions under which a restrictive intervention may be applied:

As listed in DDA Policy 5.15, Restrictive Procedures: Community, the following are not permitted under any circumstances:

1. Restraint chairs;
2. Restraint boards;
3. Exclusionary time out;
4. Corporal or physical punishment;

5. Forced compliance, including exercise, when it is not for protection;
6. Locking a client alone in a room;
7. Overcorrection;
8. Physical or mechanical restraint in a prone position (i.e. the client is lying on their stomach);
9. Physical or mechanical restraint in a supine position (i.e. the client is lying on their back);
10. Removing, withholding, or taking away money, tokens, points, or activities that a client has previously earned;
11. Requiring a client to re-earn money, token, points, activities, or item purchased previously;
12. Withholding or modifying food as a consequence for behavior (e.g. withholding dessert because the client was aggressive);
13. Chemical restraint;
14. A posey bed, also known as a tent bed; and
15. Aversive stimulation.

Per DDA Policy 5.15, Restrictive Procedures: Community, restrictive interventions may only be used for the purpose of protection, and may not be used for the purpose of changing behavior in situations where no need for protection is present. The participant or legal guardian has the right to refuse any service (including the use of restrictive interventions) at any time.

Identification of a specific and individualized assessed need:

If a restraint is to be used to treat challenging behavior, it must be supported by a functional assessment as described in DDA Policy 5.21, Functional Assessments and Positive Behavior Support Plans. All Functional Assessments must contain four major sections:

- Description and Pertinent History;
- Definition of Challenging Behavior(s);
- Data Analysis/Assessment Procedures; and
- Summary Statements.

Based on the Functional Assessment, a written Positive Behavior Support Plan is implemented to reduce or eliminate the client's need to engage in the challenging behavior(s).

Informed Consent:

The use of restrictive interventions is voluntary and the participant or representative must give informed consent, which is documented in the individual's PCSP and PBSP. The participant or representative is always included in the development of the person-centered service plan, as well as a PBSP. The participant or representative is made aware of the risks and the right to refuse the restrictive intervention. The participant or legal guardian has the right to refuse any service (including the use of restrictive interventions) or medication at any time.

Positive interventions, supports and less intrusive methods must be employed prior to the use of restrictive interventions:

Prior to the use of restrict interventions, alternative strategies must be tried. The person-centered service plan contains positive and less intrusive interventions that must be employed for any identified behavior. The participant's negotiated care plan includes strategies, therapeutic interventions, and required staff behavior to address the symptoms for which the restrictive intervention is prescribed. The plan addresses a participant's special needs and responses to a participant's refusal of care and the need to reduce tension, agitation or anxiety. The provider must document in the negotiated care plan other strategies or modifications used to avoid restrictive interventions.

Participants must have an assessed need proportionate to the use of restrictive interventions:

The need for a restrictive intervention must be assessed by a specialist in challenging behaviors. This information must then be incorporated into the participant's PCSP, the Functional Assessment that details the challenging behaviors and their precursors, and the PBSP. The conditions under which a restrictive intervention may be used must be documented in the participant's PCSP and in the PBSP. Documentation must reflect the symptom related to behavior for which a restrictive intervention is being used, when a restrictive intervention may be used, and how the restrictive intervention should be used.

Restrictive interventions must be used only as provided for in DDA Policy 5.15., Restrictive Procedures: Community, DDA Policy 5.17, Physical Intervention Techniques, and DDA Policy 5.20, Restrictive Procedures and Physical Interventions with Children and Youth.

- Restrictive interventions must be used only when positive or less restrictive techniques or procedures have

been tried and are determined to be insufficient to protect the client, others, or damage to the property of others.

- Restrictive interventions may only be used for the purpose of protection and may not be used for the purpose of changing behavior in situations where no need for protection is present.
- Only the least restrictive intervention needed to adequately protect the client, others, or property must be used, and terminated as soon as the need for protection is over.

Collection and review of data to measure the ongoing effectiveness of the restrictive intervention:

Per DDA Policy 5.14, Positive Behavior Support Principles, the PBSP must address the following:

- Operationally define the goals of the PBSP in terms of specific, observable behaviors.
- Indicate what data is needed to evaluate success (e.g., frequency, intensity and duration of target behaviors).
- Provide instructions to staff or caregivers on how to collect this data (e.g., forms, procedures) i.e., frequency, intensity and duration.
- List who will monitor outcomes, need for revisions, and evaluate success and process for monitoring.
- Recommend displaying data in a graph over time for easy analysis.

Per DDA Policy 5.15, Restrictive Procedures: Community, and DDA Policy 5.20, Restrictive Procedures and Physical Interventions with Children and Youth, program staff responsible for PBSPs must review the plan at least every thirty (30) days. If the data indicates progress is not occurring after a reasonable period, but no longer than six (6) months, the PBSP must be reviewed and revisions implemented as needed.

Periodic review of restrictive intervention usage:

The PCSP and PBSP must be reviewed at least annually (and in the case of positive behavior support and consultation provider to children and youth in the family home, providers must submit quarterly progress reports) and updated at any time the use of a restrictive intervention becomes ineffective, is no longer needed or becomes unsafe.

A post-analysis (i.e., a debriefing to review the incident and assess what could have been done differently) must take place whenever restrictive interventions are implemented in emergencies or when the frequency of use of the intervention is increasing. The child/youth, service providers involved, supervisor (in residential settings), parent/guardian, and other team members must participate, as appropriate. The DDA case resource manager must document the post-analysis in a service episode record (SER) in the client's record.

Restrictive interventions may not cause harm:

The use of restrictive interventions must be deemed safe and appropriate per DDA policies concerning the use of restrictive procedures. The waiver participant or representative is informed of any risks and may choose to decline the use of restrictive interventions at any time.

Education and training requirements for providers involved in the use of restrictive interventions:

All staff using restrictive interventions must have prior training in the use of such techniques according to the facility or agency's policy and procedures. With all training on the use of restrictive interventions, staff must also receive training in crisis prevention techniques and positive behavior support. Staff receiving restrictive intervention techniques training must complete the course of instruction and demonstrate competency before being authorized to use the techniques with waiver participants. All residential service providers must have documentation of prior training in the use of restrictive intervention techniques.

A review of de-escalation techniques and physical intervention techniques with all service providers and members of a child/youth's support team must occur annually before continuing to be used with the child/youth.

Restrictive intervention systems must include, at a minimum, the following training components:

1. Principles of positive behavior support, including respect and dignity;
2. Communication techniques to assist a child/youth to calm down and resolve problems in a constructive manner;
3. Techniques to prevent or avoid escalation of behavior;
4. Techniques for providers and parents/guardians to use in response to their own feelings or expressions of fear, anger, or aggression;
5. Techniques for providers and parents/guardians to use in response to the child/youth's feelings of fear or anger;
6. Instruction that restrictive intervention techniques may not be modified except as necessary in consideration of individual disabilities, medical, health, and safety issues. An appropriate medical/health

professional and a certified trainer or behavioral specialist must approve all modifications;

7. Evaluation of the safety of the physical environment at the time of the intervention;
8. Use of the least restrictive interventions depending upon the situation;
9. Clear presentation and identification of prohibited and permitted restrictive intervention techniques as outlined in this policy;
10. Discussion of the need to release a child/youth from any physical restraint as soon as possible;
11. Instruction on how to support restrictive interventions as an observer and recognize signs of distress by the child/youth and fatigue by the staff; and
12. Discussion of the importance of complete and accurate documentation by service providers.

References:

- DDA Policy 5.11: Restraints
- DDA Policy 5.14: Positive Behavior Support Principles
- DDA Policy 5.15: Restrictive Procedures: Community
- DDA Policy 5.16: Psychotropic Medications
- DDA Policy 5.17: Physical Intervention Techniques
- DDA Policy 5.19: Positive Behavior Support for Children and Youth
- DDA Policy 5.20: Restrictive Procedures and Physical Interventions with Children and Youth
- DDA Policy 5.21: Functional Assessments and Positive Behavior Support Plans

ii. State Oversight Responsibility. Specify the state agency (or agencies) responsible for monitoring and overseeing the use of restrictive interventions and how this oversight is conducted and its frequency:

The Department of Social and Health Services (DSHS) through the Aging and Long-Term Support Administration (AL TSA) and the Department of Children, Youth and Families through Child Protective Services (CPS) is responsible for detecting the unauthorized use of restrictive interventions. Under state authority RCW 74.34, the AL TSA receives reports and conducts investigations of abuse, neglect, exploitation and abandonment for clients enrolled with the Developmental Disabilities Administration. AL TSA Residential Care Services (RCS) investigates the role of provider systemic issues regarding abuse and neglect occurring in nursing homes, adult residential care facilities, adult family homes, & supported living programs. AL TSA Adult Protective Services (APS) investigates the perpetrators of abuse and neglect involving adults.

Under state authority contained in Chapter 26.44 RCW, Child Protective Services (CPS) within the Department of Children, Youth and Families (DCYF) is responsible for receiving and investigating reports of suspected child abuse and neglect.

DDA's Incident Report Application generates reports that permit management to periodically review incidents and to categorize incidents by type, location, provider involvement, hospitalization, and outcome and to identify trends and patterns. Based on these trends and patterns, improvement strategies can be developed and implemented.

DDA detects use of unauthorized restrictive intervention through:

- Reports submitted to APS,
- Reports submitted to RCS,
- Reports submitted to CPS,
- Reports received in the DDA Incident Reporting application,
- The face to face DDA Assessment process conducted yearly and at times of significant change,
- The DDA grievance process, and
- DDA Quality Assurance activities that include face to face interviews of clients and review of complaints.

RCS and APS are using the TIVA (Tracking Incidents for Vulnerable Adults) system to document investigation activities including: a) intake of complaints and, b) outcome reports. There is an electronic connection between the FamLink (DCYF case management system) and the CARE system to notify case managers of: a) complaints concerning treatment of children that are referred for investigations, and b) investigation outcomes. This is an electronic notification that is included in the individual's CARE record.

DDA Policies 5.14, 5.15, 5.16, 5.17, 5.19, 5.20 and 5.21 (see G-2.b.i) specify the requirements for using and documenting use of any type of restrictive intervention. Only the least restrictive intervention needed to adequately protect the client, others, or property may be used, and terminated as soon as the need for protection is over. The use of approved restrictive interventions must be fully documented and reviewed at least monthly by the residential provider and at least quarterly by the waiver participant's interdisciplinary team. Any emergency use of a restrictive interventions requires an incident report to DDA headquarters where it is reviewed by the Incident Management Program Manager.

Residential Care Services (RCS) Division has contracted evaluators who evaluate the residential agencies/programs at least once every two years. Their review always includes any use of restraints, restrictive interventions, or use of psychoactive medications.

Quality Compliance Coordinator (QCC) staff yearly review the positive behavior support plans (PBSPs) of a sample of waiver participants. One focus is on instances when the PBSP includes a restraint that requires approval through an exception to rule (ETR). When the QCC team identifies PBSPs requiring an ETR that did not have an ETR, the QCC team verifies that individual corrective action was completed within 90 days and reports to management on systems issues.

References:

- Chapter 26.44 RCW: Abuse of Children
- Chapter 74.34 RCW: Abuse of Vulnerable Adults
- DDA Policy 5.11: Restraints
- DDA Policy 5.14: Positive Behavior Support
- DDA Policy 5.15: Restrictive Procedures: Community
- DDA Policy 5.16: Psychotropic Medications
- DDA Policy 5.17: Physical Intervention Techniques

-DDA Policy 5.19: Positive Behavior Support for Children and Youth
 -DDA Policy 5.20: Restrictive Procedures and Physical Interventions with Children and Youth
 -DDA Policy 5.21: Functional Assessments and Positive Behavior Support Plans

Appendix G: Participant Safeguards

Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (3 of 3)

c. Use of Seclusion. *(Select one): (This section will be blank for waivers submitted before Appendix G-2-c was added to WMS in March 2014, and responses for seclusion will display in Appendix G-2-a combined with information on restraints.)*

☒ **The state does not permit or prohibits the use of seclusion**

Specify the state agency (or agencies) responsible for detecting the unauthorized use of seclusion and how this oversight is conducted and its frequency:

The Department of Social and Health Services:

- Developmental Disabilities Administration (DDA)
- Aging and Long-Term Support Administration/Residential Care Services (RCS)
- Aging and Long-Term Support Administration/Adult Protective Services (APS)

The Department of Children, Youth and Families:

- Child Protective Services (CPS)

Under state authority RCW 74.34, the Aging and Long-Term Support Administration (ALTSA) receives reports and conducts investigations of abuse, neglect, exploitation and abandonment for clients enrolled with the Developmental Disabilities Administration. ALTSA's Residential Care Services (RCS) investigates the role of provider systemic issues in abuse and neglect occurring in nursing homes, adult residential care facilities, adult family homes, & supported living programs. ALTSA's Adult Protective Services (APS) investigates the perpetrators of abuse and neglect involving adults.

The DDA detects use of unauthorized restrictive intervention through:

- Reports submitted to APS,
- Reports submitted to RCS,
- Reports submitted to CPS,
- Reports received in the DDA Incident Reporting application,,
- The face to face DDA Assessment process conducted yearly and at times of significant change,
- The DDA complaint/grievance process, and
- DDA Quality Assurance activities that include face to face interviews of clients and review of complaints.

Residential Care Services Division has contracted evaluators who evaluate the residential agencies/programs at least once every two years. Their review always includes any use of restraints, restrictive procedures, or use of psychoactive medications.

☐ **The use of seclusion is permitted during the course of the delivery of waiver services.** Complete Items G-2-c-i and G-2-c-ii.

i. Safeguards Concerning the Use of Seclusion. Specify the safeguards that the state has established concerning the use of each type of seclusion. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

ii. State Oversight Responsibility. Specify the state agency (or agencies) responsible for overseeing the use of

seclusion and ensuring that state safeguards concerning their use are followed and how such oversight is conducted and its frequency:

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Appendix G: Participant Safeguards

Appendix G-3: Medication Management and Administration (1 of 2)

This Appendix must be completed when waiver services are furnished to participants who are served in licensed or unlicensed living arrangements where a provider has round-the-clock responsibility for the health and welfare of residents. The Appendix does not need to be completed when waiver participants are served exclusively in their own personal residences or in the home of a family member.

a. Applicability. Select one:

- ☐ **No. This Appendix is not applicable** (do not complete the remaining items)
- ☒ **Yes. This Appendix applies** (complete the remaining items)

b. Medication Management and Follow-Up

- i. Responsibility.** Specify the entity (or entities) that have ongoing responsibility for monitoring participant medication regimens, the methods for conducting monitoring, and the frequency of monitoring.

All participants receive monitoring by case resource managers during their annual assessment and at least one other monitoring visit. For clients who receive nurse delegation services, the need for which is identified by the DDA assessment, a registered nurse delegator must visit the participant at least once every 90 days. Participants receiving residential habilitation also receive monitoring visits from state licensers or certifiers for their service providers who review medication management practices, interview participants and staff, and verify compliance with all health and safety regulations and best practices, in addition to monitoring from case resource managers, registered nurse delegators and nursing care consultants. All DDA parties who detect potentially harmful practices are required to report issues utilizing the incident reporting application and conduct appropriate follow-up. Licensers and certifiers utilize their own RCS Residential Quality Assurance Database to document issues of concern, statements of deficiency, corrective action plans and follow up monitoring. RCS data and reports are shared with DDA on a continuous basis.

When an individual is not receiving services from a DDA residential program the individual, her/his/their representatives, her/his/their healthcare provider and DDA work together to monitor medication management. Medication management is a component of the DDA assessment. The DDA assessment triggers a referral requirement if medication risk factors are identified. Once this requirement is triggered the case resource manager must address the risk identified in the PCSP. How the risks are addressed depends on the concern identified. It could result in a medication evaluation referral, additional provider training, nurse oversight visits, consultation with the healthcare provider or other measures.

DDA policy 5.16, Psychotropic Medications establishes guidelines for assisting an individual with mental health issues or persistent challenging behavior to access accurate information about psychotropic medications and treatment, to make fully informed choices, and to be monitored for potential side effects of psychoactive medications.

Protections against the use of chemical restraints are included in DDA Policies 5.14, Positive Behavior Support Principles, Policy 5.15, Restrictive Procedures, Policy 5.16, Psychotropic Medications, Policy 5.19, Positive Behavior Support for Children and Youth, and Policy 6.19, Residential Medication Management with respect to the use of psychotropic medications. If psychotropic medications are used, informed consent must be obtained, a functional assessment must be completed, a positive behavior support plan must be developed and implemented, and a Psychotropic Medication Treatment Plan must be in place. Psychotropic medications can only be used as prescribed.

Additionally, Policy 6.19 Residential Medication Management applies to individuals who receive services from a DDA certified residential program.

Policy 6.19 Residential Medication Management:

When providing instruction and support services to persons with developmental disabilities, the provider must ensure that individuals who use medications are supported in a manner that safeguards the person's health and safety.

For adult residential care facilities, medication management requirements as described in Chapter 388-78A WAC (Assisted living facility licensing rules) take precedence over this policy.

PROCEDURES

A. Self-Administration of Medications

1. Residential service providers must have a written policy, approved by DDA, regarding supervision of self-medication.
2. The provider, unless he or she is a licensed health professional or has been authorized and trained to perform a specifically delegated nursing task, may only assist the person to take medications.
3. The provider may administer the person's medication if he/she is a licensed health care professional. Medications may only be administered under the order of a physician or a health care professional with prescriptive authority.
4. If a person requires assistance with the use of medication beyond that described in A.2. above, the assistance must be provided either by a licensed health care professional or a registered nurse (RN) who delegates the administration of the medication according to Chapter 388-101 WAC (Certified community residential services and supports) and Chapter 246-840 WAC (Practical and registered nursing).

Per Chapter 246-840 WAC (Practical and registered nursing), before delegating a nursing task, the registered nurse delegator decides the task is appropriate to delegate based on the elements of the nursing process: Assess,

Plan, Implement, Evaluate. (Please see WAC 246-840-910 through 990 concerning delegation of nursing care tasks in community-based and in-home care settings for specific details.)

Per WAC 246-841-400 (Standards of practice and competencies for nursing assistants), competencies and standards of practice are statements of skills and knowledge, and are written as descriptions of observable, measurable behaviors. All competencies are performed under the direction and supervision of a licensed registered nurse or licensed practical nurse as required by RCW 18.88A.030 (Nursing Assistants: Scope of practice-Nursing home employment-Voluntary certification-Rules).

WAC 246-841-405 (Nursing assistant delegation) identifies the certification requirements as stated below.

DDA Policy 6.15 ("Nurse Delegation Services") details eligibility requirements for services (including a stable and predictable client condition), which tasks can and cannot be delegated, training and certification requirements for delegated providers, the referral process, case manager responsibilities and Registered Nurse Delegator responsibilities, and authorization of services.

Training Requirements for Providers Who Perform Delegated Nursing Tasks

Before performing a delegated task, the provider must have completed:

1. Registration or certification as a Nursing Assistant and renew annually;
2. The Nurse Delegation for Nursing Assistants class (nine hours), either the classroom or self-study version;
3. For Nursing Assistant-Registered (NAR) only:
 - a. For providers working in Supported Living: DDA Core Training (32 hours).
 - b. For providers working in all other settings: Fundamentals of Caregiving (28 hours).
 - c. An NAR may not perform a delegated task before DDA Core Training or Fundamentals of Caregiving is completed.
 - d. DDA Core Training or Fundamentals of Caregiving is not required for a Nursing Assistant-Certified (NAC) to perform a delegated task.

Responsibilities of the Registered Nurse Delegator (RND)

The RND must:

1. Verify that the caregiver:
 - a. Has met training and registration requirements;
 - b. The registration is current and without restriction; and
 - c. The caregiver is competent to perform the delegated task.
2. Assess the nursing needs of the individual, determine the appropriateness of delegation in the specific situation and, if appropriate, teach the caregiver to perform the nursing task.
3. Monitor the caregiver's performance and continued appropriateness of the delegated task.
4. Communicate the results of the nurse delegation assessment to the CRM.
5. Establish a communication plan with the CRM as follows:
 - a. Specify in the plan how often and when the RND will communicate with the CRM; and
 - b. Document the plan and all ongoing related communication in the client's nurse delegation file.
6. Document and perform all delegation activities as required by law, rule and policy.
7. Work with the CRM, providers, and interested parties when rescinding RND to develop an alternative plan that ensures continuity for the provision of the delegated task.

Nurse delegation is an intermittent service. The nurse is required to visit at least once every ninety days, and may not need to see an individual more frequently. However, the delegating nurse may determine that some individuals need to be seen more often. The ALTSA/DDA Central Office Nurse Delegation Program Manager will monitor the nurse's performance, including frequency of visits and payments.

In residential settings, providers are required to document all medication administration and client refusals (of medication).

WAC 388-101D-0340 ("Medications--Documentation") indicates the service provider must maintain a written record of all medications administered to, assisted with, monitored, or refused by the individual.

WAC 388-101D-0325 ("Medication Refusal") indicates

- (1) When an individual who is receiving medication support from the service provider chooses to not take his or her medications, the service provider must:
 - (a) Respect the client's right to choose not to take the medication(s) including psychoactive medication(s); and
 - (b) Document the time, date and medication the individual did not take.
- (2) The service provider must take the appropriate action, including notifying the prescriber or primary care practitioner, when the individual chooses to not take his or her medications and the refusal could cause harm to

the individual or others.

Any person may call the Nurse Delegation Hotline at (800)422-3263 to file a complaint.

References:

- DDA Policy 5.14: Positive Behavior Support Principles
- DDA Policy 5.15: Restrictive Procedures
- DDA Policy 5.16: Psychotropic Medications
- DDA Policy 5.19: Positive Behavior Support for Children and Youth
- DDA Policy 6.15 Nurse Delegation Services
- DDA Policy 6.19 Residential Medication Management
- RCW 18.88A.030 Nursing Assistants: Scope of practice-Nursing home employment-Voluntary certification-Rules
- Chapter 246-840 WAC Practical and registered nursing
- WAC 246-841-400 Standards of practice and competencies for nursing assistants
- WAC 246-841-405 Nursing assistant delegation
- WAC 388-101D-0325 Medication refusal
- WAC 388-101D-0340 Medications-documentation

ii. Methods of State Oversight and Follow-Up. Describe: (a) the method(s) that the state uses to ensure that participant medications are managed appropriately, including: (a) the identification of potentially harmful practices (e.g., the concurrent use of contraindicated medications); (b) the method(s) for following up on potentially harmful practices; and, (c) the state agency (or agencies) that is responsible for follow-up and oversight.

The Department of Social and Health Services:

- Developmental Disabilities Administration (DDA)
- Aging and Long-Term Support Administration/Residential Care Services (RCS)
- Aging and Long-Term Support Administration/Adult Protective Services (APS)

The Department of Children, Youth and Families:

- Child Protective Services (CPS)

DDA Policy 5.16, Psychotropic Medications, details monitoring requirements for all residential service providers. Policy 5.16 directs the service provider to monitor the client to help determine if the medication is being effective based on criteria identified in the Psychotropic Medication Treatment Plan (PMTP). If the medication does not appear to have the desired effects, the service provider must communicate this to the prescribing professional. The PMTP must include: a) A description of the behaviors, symptoms or conditions for which the medication is prescribed and a mental health diagnosis, if available; b) The name, dosage, and frequency of the medication (subsequent changes in dosage may be documented in the person's medical record); c) The length of time considered sufficient to determine if the medication is effective (i.e., treatment trial); d) The behavioral criteria to determine whether the medication is effective (i.e., what changes in behavior, mood, thought, or functioning are considered evidence that the medication is effective); and e) The anticipated schedule of visits with the prescribing professional. The service provider must observe the client for any changes in behavior or health that might be side effects of the medication and inform the prescribing professional of any concerns. The service provider should request that the prescribing professional see the client at least every three months unless the prescribing professional recommends a different schedule. Continued need for the medication and possible reduction should be assessed at least annual by the prescribing professional.

Residential Care Services (RCS) certifiers review all medication management as part of their certification process not less than once every eighteen months. In addition, DDA Residential Quality Assurance staff make follow-up visits following any citations issues to service providers. Nurse delegators also provide follow-up visits to participants with nurse delegated tasks on a regular basis.

DCYF/DLR (Division of Licensed Resources within The Department of Children, Youth and Families) is responsible for monitoring medication administration as a part of overall performance monitoring in licensed residential settings for children. The Department of Children, Youth and Families Management Information System (CAMIS) database containing the record of licensing inspections and required provider training is maintained and monitored by The Department of Children, Youth and Families /Division of Licensed Resources (DLR). As part of the ongoing performance monitoring, a schedule of unannounced visits is established for all Foster Home and Staffed Residential providers. The licensed providers are reviewed at least every 36 months to assess performance against ongoing licensing requirements. The schedule is continually monitored and updated by DLR for compliance. Outcomes of the licensing process, such as statements of deficiency and corrective actions, are documented in the database and are used to determine whether or not licensure will continue or establish the frequency of unannounced visits. Communication regarding the licensing process occurs at the regional level.

DDA Policy 6.19, Residential Medication Management (see G-3-b-i) specifies the requirements for residential medication management. Residential Care Services has contracted evaluators who evaluate the residential agencies/programs at least once every two years.

Issues with medication management are also identified if errors result in allegations of abuse, neglect, exploitation. Under authority provided via RCW 74.34 (public assistance Washington state law concerning abuse of vulnerable adults), the Aging and Long-Term Support Administration (AL TSA) receives reports and conducts investigations of abuse, neglect, and exploitation for individuals enrolled with the Developmental Disabilities Administration. AL TSA's Residential Care Services (RCS) investigates provider systemic issues regarding abuse and neglect occurring in nursing homes, adult residential care facilities, adult family homes, & supported living programs. AL TSA's Adult Protective Services (APS) investigates the perpetrators of abuse and neglect involving adults.

Under authority provided via RCW 26.44 (Washington state law concerning abuse of children), Child Protective Services (CPS) investigates all allegations of abuse, neglect, and exploitation of children living in their parents' home and/or licensed facility or foster care. Substantiations are forwarded to the BCCU.

CPS, RCS and APS are using TIVA (Tracking Incidents for Vulnerable Adults) and FamLink (DCYF's case management system) to document investigation activities including intake of complaints and outcome reports. There is an electronic connection between TIVA/FamLink and the CARE system to notify case managers of a)

complaints that are referred for investigations and b) investigation outcomes. This is an electronic notification that will be included in the individual's CARE record.

ALTSA receives nightly data feeds from FamLink that are used in this ALTSA reporting system. FamLink information is reviewed to determine if client information matches DDA waiver participants who are identified in CARE. DDA uses the ALTSA reporting system to address specific programmatic and provider issues from the outcomes of the waiver participants who were involved in investigations by Residential Care Services (RCS) and/or Child Protective Services (CPS) for whom a report of abuse, neglect, abandonment, or financial exploitation was substantiated. The data are broken out by type of incident and provider type.

Information and findings are communicated to the Medicaid agency at least quarterly via the HCA Medicaid Agency Waiver Management Committee.

Appendix G: Participant Safeguards

Appendix G-3: Medication Management and Administration (2 of 2)

c. Medication Administration by Waiver Providers

i. Provider Administration of Medications. *Select one:*

- ☐ Not applicable. *(do not complete the remaining items)*
- ☒ Waiver providers are responsible for the administration of medications to waiver participants who cannot self-administer and/or have responsibility to oversee participant self-administration of medications. *(complete the remaining items)*

ii. **State Policy.** Summarize the state policies that apply to the administration of medications by waiver providers or waiver provider responsibilities when participants self-administer medications, including (if applicable) policies concerning medication administration by non-medical waiver provider personnel. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

DDA Administration Policy 6.19, Residential Medication Management specifies the requirements for residential medication management. Residential Care Services (RCS) has contracted staff who evaluate the residential agencies/programs at least once every two years to ensure they are in compliance with these requirements.

iii. Medication Error Reporting. *Select one of the following:*

- ☒ Providers that are responsible for medication administration are required to both record and report medication errors to a state agency (or agencies).

Complete the following three items:

(a) Specify state agency (or agencies) to which errors are reported:

The Developmental Disabilities Administration (DDA) within the Department of Social and Health Services (DSHS).

(b) Specify the types of medication errors that providers are required to *record*:

Providers are required to record all medication errors.

WAC 388-101D-0340 ("Medications--Documentation") indicates the service provider must maintain a written record of all medications administered to, assisted with, monitored, or refused by the individual.

WAC 388-101D-0325 ("Medication Refusal") indicates

(1) When an individual who is receiving medication support from the service provider chooses to not take his or her medications, the service provider must:

(a) Respect the individual's right to choose not to take the medication(s) including psychotropic medication(s); and

(b) Document the time, date and medication the individual did not take.

(2) The service provider must take the appropriate action, including notifying the prescriber or primary care practitioner, when the individual chooses to not take his or her medications and the individual's refusal could cause harm to the individual or others.

(c) Specify the types of medication errors that providers must *report* to the state:

Providers are required to report medication errors causing injury/harm, or a pattern of errors.

- ☐ **Providers responsible for medication administration are required to record medication errors but make information about medication errors available only when requested by the state.**

Specify the types of medication errors that providers are required to record:

iv. State Oversight Responsibility. Specify the state agency (or agencies) responsible for monitoring the performance of waiver providers in the administration of medications to waiver participants and how monitoring is performed and its frequency.

The following State agencies all generate data concerning medication management:

The Department of Social and Health Services:

- Developmental Disabilities Administration (DDA)
- Aging and Long-Term Support Administration/Residential Care Services (RCS)

The Department of Children, Youth and Families:

- Child Protective Services (CPS)

DDA quality assurance staff acquire data from all of these sources, analyze data to identify trends and patterns and identify areas for improvement. Quality assurance staff share this analysis, identified trends and patterns and recommend areas for improvement to senior management on a quarterly basis.

DDA Policy 6.19, Residential Medication Management, (please see G-3-b-i) specifies the requirements for residential medication management. RCS has contracted staff who evaluate the residential agencies/programs at least once every two years. RCS data on residential agency performance is share with DDA quality assurance staff on a continuous basis.

Appendix G: Participant Safeguards

Quality Improvement: Health and Welfare

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

a. Methods for Discovery: Health and Welfare

The state demonstrates it has designed and implemented an effective system for assuring waiver participant health and welfare. (For waiver actions submitted before June 1, 2014, this assurance read "The State, on an ongoing basis, identifies, addresses, and seeks to prevent the occurrence of abuse, neglect and exploitation.")

i. Sub-Assurances:

- a. Sub-assurance:** *The state demonstrates on an ongoing basis that it identifies, addresses and seeks to prevent instances of abuse, neglect, exploitation and unexplained death. (Performance measures in this sub-assurance include all Appendix G performance measures for waiver actions submitted before June 1, 2014.)*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

G.a.4: # & % of respondents to NCI Survey who report they have received information on how to identify and report instances of abuse, neglect, exploitation and unexplained deaths. N = # of respondents to NCI Survey who report they have received information on how to identify and report instances of abuse, neglect, exploitation and unexplained deaths. D = # of respondents to NCI Survey reviewed.

Data Source (Select one):

Analyzed collected data (including surveys, focus group, interviews, etc)

If 'Other' is selected, specify:

NCI Survey

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% Confidence Interval with +/- 5% margin of error </div> |
| <input type="checkbox"/> Other Specify: | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |

| | | |
|----------------------|--|--|
| <input type="text"/> | | <input type="text"/> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <input type="text"/> |
| | <input type="checkbox"/> Other Specify: <input type="text"/> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <input type="text"/> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <input type="text"/> |

Performance Measure:

G.a.2: # & % alleged abuse, neglect, exploitation or abandonment (ANEA) in which wvr part &/or legal rep was contacted within 30 days to ensure safety plans were developed/ appropriately implemented. N = # of alleged ANEA in which wvr part &/or legal rep was contacted within 30 days to ensure safety plans were developed/appropriately implemented. D = # of incidents of alleged ANEA.

Data Source (Select one):**Other**

If 'Other' is selected, specify:

DDA's Incident Report Application

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |

| | |
|--|---|
| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
| <input type="text"/> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <input type="text"/> |

Performance Measure:

G.a.1: Number & percent of incidents alleging abuse, neglect, exploitation or abandonment (ANEA) of waiver participants reported by DDA, per policy, to APS, CPS, or RCS. N = Number of incidents alleging ANEA of waiver participants reported by DDA, per policy, to APS, CPS, or RCS. D = All allegations of ANEA requiring notification by DDA, per policy, to APS, CPS, or RCS.

Data Source (Select one):

Other

If 'Other' is selected, specify:

DDA's Incident Report Application

| | | |
|---|--|---|
| Responsible Party for data collection/generation <i>(check each that applies):</i> | Frequency of data collection/generation <i>(check each that applies):</i> | Sampling Approach <i>(check each that applies):</i> |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/> |
| <input type="checkbox"/> Other Specify: <input type="text"/> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <input type="text"/> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: |

| | | |
|--|--|-------------|
| | | <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

G.a.5 # & % of waiver participants signing their annual PCSPs who report they have received information on how to identify & report instances of abuse, neglect, exploitation & unexplained deaths (ANED). N = # participants signing their annual PCSPs who report they have received information on how to identify & report instances of ANED. D = # of waiver participants' annual PCSPs.

Data Source (Select one):**Record reviews, off-site**

If 'Other' is selected, specify:

CARE system

| Responsible Party for data collection/generation | Frequency of data collection/generation <i>(check each that applies):</i> | Sampling Approach <i>(check each that applies):</i> |
|---|--|--|
|---|--|--|

| | | |
|--|--|---|
| <i>(check each that applies):</i> | | |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |

| | |
|--|---|
| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:

G.a.6: # & % of Medicaid claims for hospital admissions & ER (MCHAER) visits meeting policy 12.01 criteria for incident reporting (IR) that are reported for waiver participants receiving residential habilitation. N: # of MCHAER visits meeting policy 12.01 criteria for IR that are reported for wvr parts receiving res hab. D: # of MCHAER meeting policy 12.01 criteria that were reviewed.

Data Source (Select one):

Financial records (including expenditures)

If 'Other' is selected, specify:

| | | |
|---|--|--|
| Responsible Party for data collection/generation <i>(check each that applies):</i> | Frequency of data collection/generation <i>(check each that applies):</i> | Sampling Approach <i>(check each that applies):</i> |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 95% Confidence Interval with +/- 5% margin of error </div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: |

| | | |
|--|---|--|
| | | |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div> |

- b. Sub-assurance:** *The state demonstrates that an incident management system is in place that effectively resolves those incidents and prevents further similar incidents to the extent possible.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

G.b.2: # & % waiver participants with 4 or more similar incident reports during

calendar quarter reviewed by QA staff to verify required health & welfare actions were taken N = # wvr part with 4 or more similar incidents reports during calendar qrtr reviewed by QA staff to verify required health & welfare actions were taken D = All wvr part with 4 or more similar incidents during calendar qrtr

Data Source (Select one):

Other

If 'Other' is selected, specify:

DDA's Incident Report Application

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 200px; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 200px; margin-top: 5px;"></div> |

Performance Measure:

G.b.1: The number & percent of critical incident trends where systemic interventions were implemented. N = The number of critical incident trends where systemic interventions were implemented. D = Number of critical incident trends.

Data Source (Select one):

Other

If 'Other' is selected, specify:

DDA's Incident Report Application

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input checked="" type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; height: 30px; width: 100px; margin-top: 5px;"></div> |
| <input type="checkbox"/> Other | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified |

| | | |
|-------------------------|---|--|
| Specify: <div></div> | | Describe Group: <div></div> |
| | <input checked="" type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| | |
|--|---|
| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

G.b.3 The number and percent of mortality review trends where systemic interventions were implemented. N = The number of mortality review trends where systemic interventions were implemented. D = The number of mortality review trends where systemic interventions were necessary.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |

| | |
|---|--|
| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
| <input type="text"/> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <input type="text"/> |

c. Sub-assurance: The state policies and procedures for the use or prohibition of restrictive interventions (including restraints and seclusion) are followed.

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

G.c.2: Number & percent of citations in statements of deficiency that don't involve repeat citations of restrictive procedure by residential providers. N = The number of citations in statement of deficiency that don't involve repeat citations of restrictive procedures by residential providers. D = All citations in statements of deficiency for residential providers reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

RCS Residential Quality Assurance Database

| | | |
|--|---|---|
| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample |

| | | |
|---|--|---|
| | | Confidence Interval = <div>95% confidence level with a +/- 5% margin of error.</div> |
| <input checked="" type="checkbox"/> Other Specify: <div>Residential Care Services/ALTSA/DSHS</div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: |

| | |
|--|---|
| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
| | |

Performance Measure:

G.c.1. # & % incidents for waiver participants involving improper use of restraints or restrictive procedure that received appropriate follow-up. N = # incidents for waiver participants involving improper use of restraints or restrictive procedure that received appropriate follow-up. D = Total incidents for wvr participants involving improper use of restraints or restrictive procedures reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

RCS Residential Quality Assurance Database

| | | |
|--|--|--|
| Responsible Party for data collection/generation (<i>check each that applies</i>): | Frequency of data collection/generation (<i>check each that applies</i>): | Sampling Approach (<i>check each that applies</i>): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Residential Care Services/ALTSA/DSHS </div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input checked="" type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other | |

| | | |
|--|-------------------------|--|
| | Specify: <div></div> | |
|--|-------------------------|--|

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

G.c.3: # & % of waiver participants whose PCSPs documented restraints or restrictions that were utilized in compliance with DDA policies & waiver requirements. N= # of waiver participants whose PCSPs documented restraints or restrictions that were utilized in compliance with DDA policies & waiver requirements. D = # of waiver participants whose PCSP documented restraints or restrictions.

Data Source (Select one):**Other**

If 'Other' is selected, specify:

CARE system.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |

| | | |
|--|--|---|
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis(check each that applies): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: |

| | |
|--|---|
| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
| | |

Performance Measure:

G.c.4: Number and percent of waiver residential habilitation providers with policies and procedures in place that prohibit the use of seclusion. N = Number of waiver residential habilitation providers with policies and procedures in place that prohibit the use of seclusion. D = All waiver residential habilitation providers reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| | | |
|--|--|--|
| Responsible Party for data collection/generation (<i>check each that applies</i>): | Frequency of data collection/generation (<i>check each that applies</i>): | Sampling Approach (<i>check each that applies</i>): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% Confidence Interval with +/- 5% margin of error </div> |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: | |

| | | |
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| | | |
|--|--|--|

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

- d. *Sub-assurance: The state establishes overall health care standards and monitors those standards based on the responsibility of the service provider as stated in the approved waiver.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

G.d.1. # & % of waiver participants who visited the dentist during the year or whose CRM documented a discussion concerning the importance of annual dental care. N = Number of waiver participants who visited the dentist during the year or whose CRM documented a discussion concerning the importance of annual dental care. D = All waiver participants' records.

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

Performance Measure:

G.d.6 # & % of systemic interventions implemented in residential habilitation when 3 most frequently cited health & welfare regulation violations occurred. N = # of systemic interventions that were implemented in res hab when 3 most frequently cited health & welfare regulation violations occurred. D = 3 most frequently cited health & welfare regulation violations in res hab reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

RCS data, Residential Quality Assurance Database

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input checked="" type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input type="checkbox"/> Other Specify: | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |

| | | |
|----------------------|--|--|
| <input type="text"/> | | <input type="text"/> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <input type="text"/> |
| | <input type="checkbox"/> Other Specify: <input type="text"/> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (<i>check each that applies</i>): | Frequency of data aggregation and analysis (<i>check each that applies</i>): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input checked="" type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <input type="text"/> | <input type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <input type="text"/> |

Performance Measure:

G.d.4. # & % of licensed/certified waiver service providers who met state & waiver training requirements as verified by state policies & procedures (P&P). N = # of licensed/certified wvr svcs providers who met state & waiver training requirements as verified by state (P&P). D = All licensed/certified wvr svcs providers requiring licensure/certification & state & waiver training that were reviewed.

Data Source (Select one):**Record reviews, on-site**

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Residential Care Services/ALTSA/DSHS </div> | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input checked="" type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other | <input checked="" type="checkbox"/> Annually |

| | |
|---|--|
| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
| Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%;"></div> |

Performance Measure:

G.d.3. Number & percent of citations in statements of deficiency that don't involve client healthcare standards by residential providers. N = The number of citations in statements of deficiency that don't involve client healthcare standards by residential providers. D = All citations in statements of deficiency for residential providers reviewed.

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

| | | |
|--|---|--|
| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input checked="" type="checkbox"/> Other Specify: | <input type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: |

| | | |
|-------------------------------------|--|---|
| Residential Care Services/ALTS/DSHS | | |
| | <input checked="" type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

Performance Measure:

G.d.2: Number and percent of waiver participants who rate their health as "poor" and who visited a doctor within the past 12 months. N = Number of waiver participants who rate their health as "poor" and who visited a doctor within the past 12 months. D = All waiver participants who rate their health as "poor."

Data Source (Select one):**Other**

If 'Other' is selected, specify:

CARE System.

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|--|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <div></div> |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: | <input checked="" type="checkbox"/> Annually |

| | |
|--|---|
| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
| <input type="text"/> | |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <input type="text"/> |

Performance Measure:

G.d.5. # & % of waiver participants receiving Contracted Supported Living (SL) or Companion Home services who had a physical examination during the waiver year. N = Number of waiver participants receiving SL or Companion Home services who had a physical examination during the waiver year. D = The total number of waiver participants receiving SL or Companion Home services during the waiver year.

Data Source (Select one):

Other

If 'Other' is selected, specify:

CARE system

| | | |
|---|--|---|
| Responsible Party for data collection/generation <i>(check each that applies):</i> | Frequency of data collection/generation <i>(check each that applies):</i> | Sampling Approach <i>(check each that applies):</i> |
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input checked="" type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/> |
| <input type="checkbox"/> Other Specify: <input type="text"/> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <input type="text"/> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: |

| | | |
|--|--|-------------|
| | | <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis <i>(check each that applies):</i> | Frequency of data aggregation and analysis <i>(check each that applies):</i> |
|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div></div> |

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

QIP for Performance Measure G.a.2 is located at Main B. Optional

G.a.1; G.a.2;G.b.1;G.b.2: Alleged incidents of abuse, neglect, abandonment and exploitation are recorded in the DDA Incident Reporting (IR) Application. The application also documents contacts and follow-up referrals. A report is compiled based on incident type and other agencies contacted to document whether or not APS, CPS, or RCS was notified. Trending of incident types, actions taken, incident trends, use of restraints & compliance with DDA policies are generated from incident reporting data.

G.a.3: The Mortality Review Team (MRT) reviews waiver recipients whose death occurred while receiving residential services, medically intensive children's program services or whose death was unusual or unexplained to identify factors that may have contributed to the deaths and to recommend measures to improve client supports and services.

G.a.4: NCI Surveys record waiver participants knowledge of how to report abuse, neglect, exploitation and unexplained deaths.

G.c.1, G.c.2, G.d.3 and G.d.4: RCS conducts onsite visits to review the restrictive procedures and areas involving clients' healthcare standards at residential sites throughout the state. RCS issues the citations for concerned areas accordingly and providers are required to submit and implement the approved corrective action plan within expected timelines. Visit data is maintained in RCS's Residential Quality Assurance Database and reports are shared with DDA's Residential Quality Assurance staff.

G.c.3, G.d.1 & G.d.2: Information on documented restraints or restrictions, health rating and doctor/dentist visits for all waiver participants is obtained as a required set of questions in the DDA annual assessment and reports are available as data extracts from the CARE system.

G.d.5 will have DDA management annually review CARE system data for physical examinations to verify contract compliance by residential rehabilitation providers and implement any remediation necessary if performance is deficient.

G.d.6 will have State review on a quarterly basis most serious cited regulation violations related to participant health and welfare in residential habilitation to focus systemic interventions on highest value changes.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

G.a.1; G.a.2;G.b.1;G.b.2: If a pattern of critical incidents is identified with respect to a specific individual or a specific provider, or a particular type of incident, the Quality Assurance Office Chief works with the appropriate HQ and/or regional staff to take appropriate steps to prevent future occurrences of such incidents. In addition, case resource manager training might focus on prevention, detection, and remediation of critical incidents.

G.a.2: If following notification of an incident the waiver participant/legal representative was not contacted within 30 days, the supervisor and case resource manager are reminded that this is required. If no contact was made at all, follow-up with the waiver participant/legal representative is required.

G.a.3: Changes implemented as a result of information gained from MRT reviews include caregiver alerts, curriculum for providers and case resource managers, and changes in DSHS administrative rules (WAC). For example, topics of caregiver alerts include "How hot is your water?", "Aspiration", "Seizures and Bathing", and "Type 2 Diabetes".

G.a.4 – Management annually reviews analysis of NCI survey results and implements necessary changes in policy, procedures or training to improve results. NCI survey results are a component of the comprehensive annual QIS which documents any necessary remediation.

G.c.3 – Management annually reviews analysis of CARE data and implements necessary changes in policy, procedures or training to improve results. CARE data are a component of the comprehensive annual QIS which documents any necessary remediation. G.d.5 - Management reviews CARE system data for physical examinations to ensure contract compliance by residential habilitation providers and implements remediation efforts with residential providers if performance on this measure is deficient.

G.d.5 will have DDA management annually review CARE system data for physical examinations to verify contract compliance by residential rehabilitation providers and implement any remediation necessary if performance is deficient.

G.d.6 – Management reviews quarterly analysis of regulation violations in residential habilitation settings and focuses remediation on three most serious types of health and welfare regulation violations.

G.b.1: QA Managers will review incident trends on a quarterly basis and determine the need for systematic interventions.

G.c.1, G.c.2, G.d.3 and G.d.4: RCS follows up on the citations/corrective action plan implementation within 60 days. DDA also reviews the RCS citations and providers' corrective action plans and conducts onsite visits within 120 days to review the restrictive procedures and other concerned areas involving clients' healthcare standards.

G.c.1 The state responds to citations in statements of deficiency in the following order:

- Once RCS issues the citations in statements of deficiency to the residential providers based on audit findings, residential providers submit their corrective action plans to RCS within 10 days of receiving the statements of deficiency.
- RCS and DDA reviews the providers' corrective action and makes appropriate recommendations to ensure the ongoing compliance with the identified issues. RCS conducts onsite visit within first 90 days of approving the providers' corrective plan to ensure the proper implementation of each steps identified in the corrective action plans.
- DDA reviews RCS visit details and make on-site visits within first 120 days of approving the corrective action plans to ensure that necessary steps are being taken and implemented by residential providers to ensure the on-going compliance in identified areas.
- DDA also provides:
 - o Consultation
 - o Training
 - o Technical Assistance and Support
 - o Additional Oversight

G.c.2 RCS issues citations in statements of deficiency for repeat citations. Depending upon the severity of the findings, RCS reviews may lead to disciplinary actions including up to decertification of residential providers

with the state. DDA reviews for repeat citations of each residential provider and offers consultation, training, technical assistance and support to assist providers as required. If the provider is still unable to implement the necessary program changes, DDA will terminate the contract.

G.d.1. and G.d.2: For those with a health rating of “poor” who have not visited a doctor and those who haven’t had a visit with a dentist within the past 12 months, case resource managers will discuss with waiver participants (and their families) the importance of visiting their doctor and dentist at least annually.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

| Responsible Party(<i>check each that applies</i>): | Frequency of data aggregation and analysis(<i>check each that applies</i>): |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <input checked="" type="checkbox"/> Annually |
| | <input type="checkbox"/> Continuously and Ongoing |
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Health and Welfare that are currently non-operational.

☒ No

☐ Yes

Please provide a detailed strategy for assuring Health and Welfare, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix H: Quality Improvement Strategy (1 of 3)

Under §1915(c) of the Social Security Act and 42 CFR §441.302, the approval of an HCBS waiver requires that CMS determine that the state has made satisfactory assurances concerning the protection of participant health and welfare, financial accountability and other elements of waiver operations. Renewal of an existing waiver is contingent upon review by CMS and a finding by CMS that the assurances have been met. By completing the HCBS waiver application, the state specifies how it has designed the waiver’s critical processes, structures and operational features in order to meet these assurances.

- Quality Improvement is a critical operational feature that an organization employs to continually determine whether it operates in accordance with the approved design of its program, meets statutory and regulatory assurances and requirements, achieves desired outcomes, and identifies opportunities for improvement.

CMS recognizes that a state's waiver Quality Improvement Strategy may vary depending on the nature of the waiver target population, the services offered, and the waiver's relationship to other public programs, and will extend beyond regulatory requirements. However, for the purpose of this application, the state is expected to have, at the minimum, systems in place to measure and improve its own performance in meeting six specific waiver assurances and requirements.

It may be more efficient and effective for a Quality Improvement Strategy to span multiple waivers and other long-term care services. CMS recognizes the value of this approach and will ask the state to identify other waiver programs and long-term care services that are addressed in the Quality Improvement Strategy.

Quality Improvement Strategy: Minimum Components

The Quality Improvement Strategy that will be in effect during the period of the approved waiver is described throughout the waiver in the appendices corresponding to the statutory assurances and sub-assurances. Other documents cited must be available to CMS upon request through the Medicaid agency or the operating agency (if appropriate).

In the QIS discovery and remediation sections throughout the application (located in Appendices A, B, C, D, G, and I), a state spells out:

- The evidence based discovery activities that will be conducted for each of the six major waiver assurances; and
- The *remediation* activities followed to correct individual problems identified in the implementation of each of the assurances.

In Appendix H of the application, a state describes (1) the *system improvement* activities followed in response to aggregated, analyzed discovery and remediation information collected on each of the assurances; (2) the correspondent *roles/responsibilities* of those conducting assessing and prioritizing improving system corrections and improvements; and (3) the processes the state will follow to continuously *assess the effectiveness of the OIS* and revise it as necessary and appropriate.

If the state's Quality Improvement Strategy is not fully developed at the time the waiver application is submitted, the state may provide a work plan to fully develop its Quality Improvement Strategy, including the specific tasks the state plans to undertake during the period the waiver is in effect, the major milestones associated with these tasks, and the entity (or entities) responsible for the completion of these tasks.

When the Quality Improvement Strategy spans more than one waiver and/or other types of long-term care services under the Medicaid state plan, specify the control numbers for the other waiver programs and/or identify the other long-term services that are addressed in the Quality Improvement Strategy. In instances when the QIS spans more than one waiver, the state must be able to stratify information that is related to each approved waiver program. Unless the state has requested and received approval from CMS for the consolidation of multiple waivers for the purpose of reporting, then the state must stratify information that is related to each approved waiver program, i.e., employ a representative sample for each waiver.

Appendix H: Quality Improvement Strategy (2 of 3)

H-1: Systems Improvement

a. System Improvements

- i. Describe the process(es) for trending, prioritizing, and implementing system improvements (i.e., design changes) prompted as a result of an analysis of discovery and remediation information.

The Developmental Disabilities Administration (DDA) has managed at least one HCBS waiver since 1983. In 2003 a statewide effort was launched to coordinate the implementation of Quality Improvement in all agencies. We have developed multiple processes for trending, prioritizing, and implementing system improvements that have been prompted as a result of data analysis.

Internal DDA Systems

DDA uses several data systems that are vital to the implementation of the Waiver.

DDA Assessment:

- o The DDA Assessment is designed to discover the individual support needs of each individual who is assessed. It is a tool to help case resource managers plan for services and supports to meet the needs of individuals with developmental disabilities.
- o All Waiver participants will be assessed using this tool, which includes an assessment of caregiver stress, behavior issues, critical medical issues, and protective supervision needs.
 - Data is pulled as needed by program managers, waiver services unit manager, quality assurance staff and management.
 - Data is analyzed by the appropriate entity who is using the information for system improvement activities.

Comprehensive Assessment Reporting and Evaluation (CARE):

- o Assists case resource managers to provide effective monitoring of case status and person-centered service plans.
- o Provides a system of "ticklers" or alerts to cue case resource manager action at specific intervals based upon client need.
- o Provides an automated process for Exception to Rule (ETR), Prior Approvals and Waiver Requests.
- o Delivers a consistent, reliable and automated process.
- o Provides client demographic and waiver status in real time.
- o Provides management reports to look for trends and patterns in the Waiver caseload.
 - Data is pulled as needed by program managers, regional staff, quality assurance staff and management.
 - Data is analyzed by the appropriate entity who is using the information for system improvement activities.

Quality Compliance Coordinator (QCC) Monitoring database:

- o Is used to collect audit data to insure that the processes and procedures required in delivering waiver services are according to requirements.
- o Is used to develop regional and statewide corrective action plans.
 - Data is developed by the Office of Compliance, Monitoring and Training.
 - Reports are created at least annually.
 - Data is analyzed by DDA staff at a minimum annually.

DDA Incident Reporting system (IR):

- o The IR system provides management information concerning significant incidents occurring in client's lives.
- o Individual incidents come first to the CRM for input into the IR system.
- o DDA has developed protocols and procedures to respond to incidents that have been reported.
- o Analysis processes are in place to review and monitor the health and welfare of DDA clients.
 - Data is pulled by the Incident Management Program Manager.
 - Data is pulled three times a year.
 - Data is analyzed by the Incident Reporting Team and as requested by DDA management.

Person-Centered Service Plan Meeting Survey:

- o A PCSP Meeting survey is mailed to waiver participants within one month of the PCSP planning meeting. This survey gives participants an opportunity to respond to a series of questions about the PCSP process. The survey is mailed from Central Office based on a random sample across all waivers with a 95% confidence level with a margin of error of +/-5%. Information collected is analyzed annually by DDA staff.
- o Information regarding trends or patterns that is gathered from that data is acted upon, through additional training for case resource managers, clarification of information for participants, etc.
 - Data is pulled by the Research and Analysis Program Manager.
 - Data is pulled at least annually.
 - Data is analyzed by DDA staff at a minimum annually.

Complaint Data Base:

o DDA maintains a Complaint data base that is the repository for complaints that rise above the standard issues that case resource managers or supervisors handle each day as a normal business practice.

- Data is pulled by the Research and Analysis Program Manager.
- Data is pulled at least annually.
- Data is analyzed by DDA staff at a minimum annually.

DSHS systems external to DDA:**ProviderOne and Individual ProviderOne/Health Care Authority:**

o DDA audits information from this system to verify services identified in the Person-Centered Service Plan as necessary to meet health and welfare needs have been authorized.

o DDA also audits information from this system to ensure that services are only authorized after first being identified in the Person-Centered Service Plan.

- Data is pulled by the ProviderOne Program Manager.
- Data is pulled at least annually.
- Data is analyzed by DDA staff at a minimum annually.

Child Protective Services (CPS)/Department of Children, Youth and Families:

o CPS is responsible for investigating and making official findings on any accusations of abuse or neglect of a minor child.

o DDA refers all such incidents to CPS for investigation and works cooperatively with them to provide information about the incident and to protect the child during the investigation.

- Data is pulled by the Research and Analysis Program Manager.
- Data is pulled at the request of the Program Manager.
- Data is analyzed by DDA staff at a minimum annually.

Adult Protective Services (APS)/Aging and Long-Term Supports Administration:

o APS is responsible for investigating and making official findings on any accusations of abuse, neglect or exploitation of a vulnerable adult, who does not live in either a licensed setting or is served by a certified residential service.

o DDA refers all such incidents to them for investigation and works cooperatively with them to provide information about the incident and to protect the adult during the investigation.

- Data is pulled by the Research and Analysis Program Manager.
- Data is pulled at least annually.
- Data is analyzed by the Regional Quality Assurance Managers and as requested by DDA management.

Division of Licensing Resources (DLR)/Department of Children, Youth and Families:

o Monitors and licenses Children's Foster Homes, Group Homes and Staffed Residential Homes, which are utilized as respite resources in the waiver program.

o DDA works cooperatively with DLR to ensure homes are licensed and appropriate care is provided.

- Data is pulled by DLR.
- Data is pulled at the request of the Program Manager.
- Data is analyzed by the Program Manager and as requested by management.

Residential Care Services (RCS)/Aging and Long-Term Supports Administration:

o RCS is responsible for investigating provider practices in instances of abuse, neglect or exploitation of a vulnerable adult who receives services from either a licensed setting or is served by a certified residential agency.

o DDA refers incidents to them for investigation and works cooperatively with them to provide information about the incident.

- Data is pulled by the DDA Incident Management Program Manager.
- Data is pulled at least annually.
- Data is analyzed by DDA staff at a minimum annually.

FamLink/TIVA are electronic systems that maintains notifications, investigative and outcome information for

CPS, APS and RCS. Data from FAMILINK/TIVA is used to track and trend information related to allegations of abuse, neglect, abandonment and financial exploitation.

Administrative Hearing Data Base:

- o The Administrative Hearings data base tracks requests for administrative hearings requested by waiver clients who disagree with decisions made by DDA.
- o DDA uses data from this data base to review the concerns of persons on the waivers and determine if there are system issues that need to be addressed.
 - Data is pulled by the Research and Analysis Program Manager.
 - Data is pulled at least annually.
 - Data is analyzed by DDA staff and as requested by DDA management.

Agency Contracts Database (ACD):

- o The ACD is an important tool in assuring that waiver service providers have contracts in place that meet requirements.
- o The tool is used by DSHS to monitor all state contracts.
- o The system monitors compliance with background check requirements, training requirements, evidence of any required licensure, and timeliness of contracts.
 - Data is pulled at least annually by the Contracts Program Manager.
 - Data is analyzed by DDA staff and as requested by DDA management.

External Non Governmental Systems:

National Core Indicators (NCI) Survey:

- o DDA has been participating in the NCI Survey since 2000.
- o DDA has adapted the survey to do a face-to-face survey in the home that addresses satisfaction with DDA services, providers and other key life indicators.
- o Additional questions have been added about waiver services.
- o This data is reviewed with stakeholders and state staff.
 - Data is pulled at least annually by the Research and Analysis Program Manager.
 - Data is analyzed by DDA staff and as requested by DDA management.
- o Recommendations for needed changes are developed from this process and necessary action is taken.

Developmental Disabilities Council (DDC):

- o The DDC partners with the state to conduct focus groups that look at the NCI data and make recommendations to the state.
- o Reports are developed by the DDC and submitted to the state for action.
 - Reports are delivered to DDA upon completion.
 - DDA responds with appropriate action.

Information from the above data systems is gathered and analyzed in order to continually monitor and make changes to our delivery system when the need is demonstrated. DDA utilizes a variety of methods to analyze data. Some examples include identifying "trigger" points that require more in-depth analysis using control charts and other types of analysis; or in-depth work focused on the occurrence of a serious incident.

Once the need for change has been determined through the analysis of data, DDA prioritizes quality improvement steps based on a risk management strategy that considers health and safety, best practices, legislative requirements, and CMS recommendations.

DDA then implements needed system improvements through a variety of methods, such as training and re-training; resource allocation; studies; policy or rule changes; and funding requests. DDA identifies who is responsible for implementation of the needed change, how that will be accomplished and timelines for accomplishing the needed change.

Strategies for improvement are specific to the type of improvement that is indicated by the data that has been reviewed. However the process is generally the same:

1. We review and analyze data;

2. We strategize to find solutions to any problems identified from the data;
3. Action plans are developed; and
4. Progress is reviewed until goals are accomplished.

ii. System Improvement Activities

| Responsible Party <i>(check each that applies):</i> | Frequency of Monitoring and Analysis <i>(check each that applies):</i> |
|---|---|
| <input type="checkbox"/> State Medicaid Agency | <input checked="" type="checkbox"/> Weekly |
| <input checked="" type="checkbox"/> Operating Agency | <input checked="" type="checkbox"/> Monthly |
| <input type="checkbox"/> Sub-State Entity | <input checked="" type="checkbox"/> Quarterly |
| <input type="checkbox"/> Quality Improvement Committee | <input checked="" type="checkbox"/> Annually |
| <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <input checked="" type="checkbox"/> Other Specify: <div style="border: 1px solid black; padding: 5px;"> 2 times per year. 3 times per year. 6 times per year. During the first year of the biennium. </div> |

b. System Design Changes

- i. Describe the process for monitoring and analyzing the effectiveness of system design changes. Include a description of the various roles and responsibilities involved in the processes for monitoring & assessing system design changes. If applicable, include the state's targeted standards for systems improvement.

The Developmental Disabilities Administration (DDA) uses a discovery and monitoring process to analyze the effectiveness of our current systems. All collected data is identified by waiver type in order to evaluate and monitor each individualized waiver program. Performance is measured in terms of outcomes. DDA uses both internal and external groups to analyze this data. DDA reviews data from multiple data sources to discover whether trends and patterns meet expected outcomes. DDA begins an improvement process if they do not. DDA's Quality Improvement (QI) process has been part of the Administration's activities for decades.

The goal of Quality Improvement in DDA is to promote, encourage, empower and support continuous quality improvement. Major areas of focus:

Surveys

- PCSP surveys give individuals/guardians an opportunity to provide anonymous feedback on the planning process. Information collected from these surveys is used to analyze the effectiveness of the planning process.

Reviews

- Reviews ensure that processes and procedures required in delivering waiver services are according to requirements.
- Waiver review findings are analyzed and shared with regional and statewide management teams for corrective action and system improvement.

Quarterly evaluations of performance measures

- Quarterly DDA Regional management reports on waiver performance.
- The report contains data such as the number of waiver assessments due with respect to the number that were completed, the regional progress on correction related to QCC audit findings, and many other key indicators of operational performance.

Training

- Training is a significant focus to ensure that divisional employees are equipped with the skills and knowledge to carry out their waiver responsibilities.
- Annual Waiver training is provided for ongoing improvement.

There are many entities that play a critical role and are essential to DDA's Quality Management Strategy:

Internal (within DSHS)

Incident Review Team (IRT):

- This team meets monthly to review aggregate data from the Electronic Incident Reporting System and make recommendations to prevent incidents.
- Team members include:
 - o Waiver Program Managers (PM), Waiver Requirements PM, RHC PM, Incident Management PM, Mental Health PM, County Services Unit Manager, Quality Assurance PM, Compliance, Monitoring and Training Office Chief, Medicaid and Eligibility Office Chief, Statewide Investigation Unit Manager and Data Analyst for RHC investigation unit.

Mortality Review Team (MRT):

- Meets monthly to review deaths of participants and monitor and make recommendations on trends and patterns.
- Team members are:
 - o RHC PM, Mental Health PM, Residential PMs, Compliance, Monitoring and Training Office Chief, Medicaid and Eligibility Office Chief, Waiver Services Unit Manager, Statewide Investigation Unit Manager and Nursing Services Unit Manager & PASRR and RHC Quality Management Systems Unit Manager.

Nursing Care Consultants (NCC):

- Assigned to Regions to review and monitor health and safety concerns.
- Nurses consult with case managers on health and welfare concerns.

Waiver Services Unit Manager and Regional Waiver Specialists:

- The primary responsibility for the implementation of this waiver resides with the Waiver Services Unit Manager
- Regional Waiver Specialists work collaboratively with the Waiver Program Manager to ensure proper implementation at the regional level.
- The Waiver Program Manager and Waiver Specialists meet every other month to monitor waiver implementation and recommend necessary waiver changes.

Regional Quality Assurance (QA) staff:

- Provide quarterly reports which contain quality assurance information on incidents and other QA activities in the region.

Department of Children, Youth and Families:

- Division of Licensing Resources(DLR) monitors and licenses Children's Foster Homes, Group Homes and Staffed Residential Homes.
- Child Protective Services (CPS) provides investigation of incidents of abuse, neglect, abandonment and exploitation involving children.

External

HCA Medicaid Agency Waiver Management Committee:

- This committee meets four times per year and is comprised of representatives from the Health Care Authority (the single State Medicaid Agency), Home and Community Services, the Behavioral Health Administration, and the Developmental Disabilities Administration.
- The Committee presents information to the single State Medicaid Agency in the following areas:
 - o Annual reports from the three administrations
 - o QCC reviews
 - o National Core Indicators
 - o Fiscal reports

The HCA provides recommendations and feedback based on the information provided.

Stakeholder input and review of waiver programs:

- A web site offers stakeholders an opportunity to:
 - o Review annual reports.
 - o Review quality assurance activities.
 - o Provide suggestions for ways to better serve waiver clients.

Developmental Disabilities Council (DDC):

- The DDC is comprised of self-advocates, family members and department representatives.
 - o The DDC analyzes and provides recommendations for improvement using the National Core Indicators Survey as its' tool.

The HCBS (DDA) Waivers Quality Assurance Committee:

- Sponsored by the DDC and comprised of self-advocates, family members, providers and Department representatives.
 - o Meets four times a year, with provision for more frequent sub-committee meetings on select topics as needed.
 - o Provides a forum for active, open and continuous dialogue between stakeholders and the DDA for implementing, monitoring and improving the delivery of waiver services to best meet the needs of people with intellectual and developmental disabilities.

Various reports are disseminated to both external and internal groups. These groups are involved in evaluating the performance and progress of the Waiver program. Through this review process these groups also provide feedback on opportunities for improvement.

Included in the distribution cycle are:

Internal:

- DDA Assistant Secretary, HQ Management Team and Regional Management Team reviews:
 - o Quarterly Regional management reports on the waiver performance.
 - o The report contains data such as the number of waiver assessments due against the number that were completed, the regional progress on correction related to QCC review findings, and many other key indicators of operational performance.
- DDA Assistant Secretary, HQ Management Team and all Regional Management Teams reviews:
 - o The Quarterly Regional Quality Assurance Managers' reports are compiled into one final report.
 - o Each regional QA report, also in a PowerPoint format contains 8 control charts from the key incident types, a detailed analysis of any waiver participant with 3 or more incidents, analysis of deaths, and information/data on many other QA activities in the region.
 - o When the final report is compiled best practices and concerns are reviewed and necessary action is taken.

QCC reviews:

- Statewide analysis of review findings. The report includes data and recommendations from the annual review cycle. This report is then shared with the Medicaid Agency Waiver Oversight Committee and the Statewide Management Team.
- Regional review findings. The regional reports are specific to the regional review. Each report provides an analysis of the data from the most current review and compares historical data (when available).

DDA Assistant Secretary Reviews:

- Monthly fiscal reports provided by Management Services Division (MSD).
 - o These reports provide detailed analysis of the waiver expenditures and individuals served.

External

A web site offers stakeholders an opportunity to review:

- Annual waiver progress/performance reports. The reports are often PowerPoint presentations with control charts or Pareto charts constructed from data related to performance measures.

Washington State Developmental Disabilities Council (DDC):

- Annual NCI Core Indicator reports are provided to the DDC for their recommendation and feedback.
- The NCI reports focus on participant satisfaction or areas of concern.
- The DDC invites families and self-advocates to review the data from the National Core Indicator survey report. Their feedback and recommendations are then shared with DDA management after every evaluation.

The HCA Medicaid Agency Waiver Management Committee:

- Includes representatives from the Health Care Authority (the Single State Medicaid Agency) and Administrations/Divisions within the operating agency: DDA, HCS, RCS, and BHA.
- Meets at least quarterly to review:
 - o All functions delegated to the operating agency
 - o Current quality assurance activity
 - o Pending waiver activity (e.g., amendments, renewals)
 - o Potential waiver policy and rule changes
 - o Quality improvement activities

ii. Describe the process to periodically evaluate, as appropriate, the Quality Improvement Strategy.

The Developmental Disabilities Administration (DDA) believes that the quality of programs and services delivered to people with developmental disabilities in Washington State is everyone's business. The evaluation and improvement of processes and systems are ongoing. All collected data is identified by each waiver type in order to evaluate and monitor individualized waiver program effectiveness.

Each year DDA improves services to waiver clients by using the numerous data collection points, appropriate analysis and prioritization techniques, evaluation and feedback from differing groups.

DDA also seeks the assistance of CMS and other entities through grants, conferences, or Best Practices information, to continue to refine benchmarks for improvement and evaluate the system against those benchmarks.

The Quality Improvement Strategy will be re-evaluated at least once during the five year approval period. The following process will be followed in reviewing and updating the Quality Improvement Strategy:

- o DDA will maintain a waiver management strategy.
- o All processes and strategies will be continuously improved through the various methods of evaluation, monitoring, analysis and actions taken.
- o DDA will work with participants, families, advocates, and providers to identify opportunities for performance improvement and report the progress being made back to stakeholders.
- o State staff, providers and stakeholders will provide ongoing monitoring of the system. Changes may be recommended by any of the above entities.

Explanation and Examples of Types of Data Analysis Used:

Charting Data: Using charts and graphs, often provides greater insight and interpretation of data. Data charts provide a powerful tool to help observe and analyze the behavior of processes and the effects of trial solutions. They are the best way to present data to others helping them to quickly grasp the information.

Chart Selection Guide: The information below summarizes several chart types that are useful in Quality Improvement and suggests possible applications:

A pie chart presents data as a percentage of a total. Examples of application include sources of errors and make up of a budget.

A bar chart presents comparisons of data categories. These can be categories at a point in time or changes in categories over a period of time. Examples of application include the number of errors over time, process output by month or by department, and comparison of results using different methods.

Pareto charts present data relative to the size of categories in order. Examples of application include customer quality characteristics in order of importance, and types of customer complaints.

Histo-grams present a distribution of a set of data (how frequently the given values occur) and shows the stability of a process. One example of application is variation of complaint resolution times.

Line charts represent behavior over time, same data collection frequency, and X charts. Examples of application include time to complete inspections over time, and the number of customer complaints over time.

Control charts present the common cause and special cause variation based on 3 sigma of the average, X bar and R, X and mr charts. Examples of application include time to fulfill customer requests, and the number of IRs per month.

Continued at Main - B. Optional

Appendix H: Quality Improvement Strategy (3 of 3)

H-2: Use of a Patient Experience of Care/Quality of Life Survey

a. Specify whether the state has deployed a patient experience of care or quality of life survey for its HCBS population in the last 12 months (*Select one*):

- ☐ No
- ☒ Yes (*Complete item H.2b*)

b. Specify the type of survey tool the state uses:

- ☐ HCBS CAHPS Survey :
- ☐ NCI Survey :
- ☐ NCI AD Survey :
- ☒ Other (*Please provide a description of the survey tool used*):

QIP for Performance Measure-D.d.2- The percentage of waiver PCSPs with services that are delivered within 90 days of the PCSP effective date or as specified in the PCSP.

Sub-Assurance: Services are delivered in accordance with the service plan, including the type, scope, amount, duration and frequency specified in the service plan.

Performance Measure D.d.2: The percentage of waiver PCSPs with services that are delivered within 90 days of the PCSP effective date or as specified in the PCSP. Numerator = All waiver PCSPs reviewed with services delivered within 90 days or as specified in the PCSP. Denominator = All waiver PCSPs reviewed.

Current compliance is 82% and trending down

Root cause: change management. Rapid onboarding of new staff or depletion of existing staff is strongly correlated with performance metrics

Remediation Plan:

- *Waiver Program Specialists review of first 3 assessments for all new staff*
- *Mandatory FSA/supervisor training on change management. Existing training is on change management theory-possibly develop part 2 operationalized change management training in the context of DDA needs around staffing fluctuations*
- *Develop a monthly report for the field to show clients with PCSP services that are not authorized; expectation that WPS/supervisors follow up with their staff*
- *CARE tickler notifying field staff of mismatch in PCSP and ProviderOne*
- *Enforce policy-if service is not authorized within the previous 89 days , an end date will be added in the PCSP.*

An amendment can be added later when the service is able to be authorized.

Implementation Plan:

HQ Responsibilities

Field Implementation Expectations

Identify Change Management trainings

- *Make change management a mandatory training for field leadership (Supervisors, specialists and FSAs)*
- *Develop an operationalized change management training specific to change management needs implementation, for supervisors*
- *Prioritize change management training*
- *Take Change Management training*
- *Provide feedback about*

Waiver Program Specialists review of first 3 assessments for all new staff

- *Include review of expectations in a remediation plan Management Bulletin*
- *New staff will submit their first 3 assessments for waiver specialist review*
- *Waiver Specialists will provide feedback to supervisors and/or HQ if staff are needing more support*

Develop a monthly report that is sent to field for correction

- *Create monthly report pulling Plan Effective Date for previous 60 days with CRMs and identify barriers to authorizing services*
- *Send list of clients with services in the PCSP that are not authorized in PI within 89 days, put an end date on the service*
- *Provide a timeline to field to correct PCSP services not authorized amendment when the client is ready to begin the service*
- *Supervisors to follow up*
- *If a service is not authorized*
- *CRM can do a plan*

Develop Management Bulletin and Policy on Remediation Expectations

- *HQ will outline clear expectations related to 90 implementation of services, effective date of the MB, to implement the remediation strategies and all of the above mentioned strategies.*
- *Field staff will begin, at*

QIP for Performance Measure-D.d.3 - The percentage of waiver PCSPs with service authorizations in place for waiver funded services that occurred that should have occurred in the last 3 months.

Sub-Assurance: Services are delivered in accordance with the service plan, including the type, scope, amount, duration and frequency specified in the service plan.

Performance Measure D.d.3: The percentage of waiver PCSPs with service authorizations in place for waiver funded services that occurred that should have occurred in the last 3 months. N = All waiver PCSPs reviewed with service authorizations for waiver funded services that occurred that should have occurred in the last 3 months. D = All waiver PCSPs reviewed that should have included a service authorization in the last 3 months.

Current compliance is 85% and trending down

Root cause: change management. Rapid onboarding of new staff or depletion of existing staff is strongly correlated with performance metrics

Remediation Plan:

- *Waiver Program Specialists review of first 3 assessments for all new staff*
- *Mandatory FSA/supervisor training on change management. Existing training is on change management theory-possibly develop part 2 operationalized change management training in the context of DDA needs around staffing fluctuations*

- *Develop a monthly report for the field to show clients with PCSP services that are not authorized; expectation that WPS/supervisors follow up with their staff*

- *CARE tickler notifying field staff of mismatch in PCSP and ProviderOne*

- *Develop a policy that by day 89, if service is not authorized, an end date will be added in the PCSP. An amendment can be added later when the service is able to be authorized*

Implementation Plan:

HQ Responsibilities

Field Implementation Expectations

Identify Change Management trainings

- *Make change management a mandatory training for field leadership (Supervisors, specialists and FSAs)*

- *Prioritize change management training*

- *Develop an operationalized change management training specific to change management needs*

- *Take Change Management training*

- *Implement, for supervisors*

- *Provide feedback about*

Waiver Program Specialists review of first 3 assessments for all new staff

- *Include review of expectations in a remediation plan MB assessments for waiver specialist review*

- *New staff will submit their first 3*

- *Waiver Specialists will provide feedback to supervisors*

and/or HQ if staff are needing more support

Develop a monthly report that is sent to field for correction

- *Create monthly report pulling Plan Effective Date for previous 60 days with CRMs and identify barriers to authorizing services*

- *Supervisors to follow up*

- *Send list of clients with services in the PCSP that are not authorized in P1 within 89 days, put an end date on the service*

- *If a service is not authorized*

- *Provide a timeline to field to correct PCSP services not authorized amendment when the client is ready to use the service*

- *CRM can do a plan*

Develop Management Bulletin and Policy on Remediation Expectations

- *HQ will outline clear expectations related to 90 implementation of services, effective date of the MB, to implement the remediation strategies and all of the above mentioned strategies.*

- *Field staff will begin, at*

QIP for Performance Measure D.e.1 - The percentage of waiver participant records that contain the annual assessment meeting wrap-up, which includes verification that the waiver participant had a choice between/among waiver services and providers.

Sub-Assurance-client has a choice of providers and services

Performance Measure D.e.1: The percentage of waiver participant records that contain the annual assessment meeting wrap-up, which includes verification that the waiver participant had a choice between/among waiver services and providers. N = Number of waiver participant records containing the annual assessment meeting wrap-up. D = All waiver participant records reviewed.

Current compliance is 92% and trending up

Root cause: Field Staff compliance, hard file

Remediation Plan:

- CARE change request plan review screen to include verbiage “client had a choice of providers” and “client had a choice of services”. This would then populate onto the PCSP summary and the client signature would indicate client

satisfaction with planned providers and services.

- Reminder of Waiver wrap up forms and the opportunity to have a conversation with clients about their services

Remediation Goal: CRMs understand the value of the form and there is a support system in place for filing

Implementation Plan:

HQ Responsibilities

Field Implementation Expectations

CARE Change Request

- Add verbiage to the CARE plan review screen to allow client opportunity

- At 6 month plan review,

CRMs document on plan review screen that the client was satisfied OR made changes to services or

to discuss choice of providers and services and make any changes

service providers.

Develop MB and Policy on Remediation Expectations

- HQ will outline clear expectations related to waiver wrap up forms

- Field staff will begin, at

effective date of the MB, to implement the remediation strategies

and plan review, and all of the above mentioned strategies.

Appendix I: Financial Accountability

I-1: Financial Integrity and Accountability

Financial Integrity. Describe the methods that are employed to ensure the integrity of payments that have been made for waiver services, including: (a) requirements concerning the independent audit of provider agencies; (b) the financial audit program that the state conducts to ensure the integrity of provider billings for Medicaid payment of waiver services, including the methods, scope and frequency of audits; and, (c) the agency (or agencies) responsible for conducting the financial audit program. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

(a) Requirements concerning the independent audit of provider agencies:

The CDE is required to have an annual independent financial audit and provide the results to the state.

Home Care Agencies are required to have an independent financial audit without findings covering the two- year period prior to contracting. The audit must be conducted by a licensed CPA or a recognized financial firm.

a) Providers are not required to have an independent financial audit of their financial statements. Agency providers are required to submit a cost report. If the department has reason to be concerned, the department will request an audit by Operations Review and Consultation or the State Auditors Office. Operations Review and Consultation is within DSHS. The State Auditors Office is a state agency outside the Department of Social and Health Services.

b) The Office of Rates Management annually conducts desk audits on all annual cost reports submitted by providers. The revenues reported by providers are reconciled to the payments made through ProviderOne and Individual ProviderOne for services and the provider's contract(s) in place during the period. The Office of Rates Management may require additional information from the provider (payroll records, other financial records, etc.) if there are concerns about the integrity of the cost report information. The Office of Rates Management may also conduct on-site reviews of provider financial records to ensure that the cost report is accurate and completed in accordance with contract requirements.

The Office of Rates Management audits cost reports submitted by residential providers in accordance with the processes and procedures outlined in DDA Policy 6.04 Cost Reports for Supported Living, Group Training Homes, and Group Homes and DDA Policy 6.02 Rates, Billing, and Payment for Supported Living, Group Training Homes and Group Homes to ensure provider costs do not include unallowable expenses, such as the cost for room and board. State utilizes a tiered rate methodology where the rate varies by identified characteristics of the individual client, county of residence and composition of the household. Nine tiers are formed by matching individuals, stratified by the DDA assessment, with associated payment brackets, which are based on average cost of service. Cost reports are submitted by residential providers to the State on a State-designed form and include the following rate components: instruction and support services (ISS), administrative, transportation, residential professional services and other non-ISS supports. Additional allowable costs may include cost of care adjustments, staff add-on for client-specific need, client transition and summer program for supported living clients. Detail in the cost reports and supporting documents provided by residential providers help rates management auditors ensure accurate cost reports by verifying: all sections of the cost report are complete; all information matches the ProviderOne payment report; the report conforms with generally accepted accounting principles; and the reports meet the requirements of the providers contract.

On-site reviews conducted by the Office of Rates Management are at their sole discretion and may occur if the Office of Rates Management deems it necessary to validate the information contained in the cost report by reviewing provider financial records.

The Office of Rates Management sends a letter to the provider describing the results for both the desk and on-site audits. If the state requires correction action plans from providers, the Office of Rates Management will follow-up with the providers to verify that the corrective action plans have been completed evidenced by corrected cost reports and audited financial records.

c) The State Auditor's Office conducts the periodic independent audit of the waiver program as required by the single audit act.d)Federal rules are followed for agencies that have non-profit status per the Single Audit Act and OMB Circular A-133. A single or program specific audit is required for the AAA and other subcontractors who expend more than \$750,000 in federal assistance in a year.

Federal rules are followed for agencies that have non-profit status per the Single Audit Act and OMB CIRCULAR A-133. A single or program specific audit is required for the Area Agencies on Aging (AAAs) and other subcontractors who expend more than \$750,000 in federal assistance in a year. Per 45 CFR 75, an annual audit is required for AAAs and other subrecipients who expend \$750,000 or more in a year in federal awards. A 45 CFR 75 Single Audit will be conducted unless the entity makes an election to have a program-specific audit conducted. The Washington State Auditor's Office conducts annual audits of county or governmental AAAs. For all other entities, including tribal governments, a certified public accounting firm must be used to conduct annual audits.

If the subcontractor is a for-profit organization, it may be a subrecipient, but it will not fall under the OMB CIRCULAR A-133 requirements for a federal single or program-specific audit. In this unique case, the for-profit is monitored annually as

follows:

1. By performing a desk review of the vendor's annual audit,
2. By on-site monitoring and completion of the monitoring worksheet.

The agency responsible for the desk review of a vendor's annual audit, on-site monitoring, and completion of monitoring worksheet, and review of subcontractor's relevant cost information when contract is renewed is the Area Agency on Aging. There are no for-profit Area Agencies on Aging in Washington State.

AAAs are required to use the following risk factors to help determine if on-site monitoring should be done:

- a. frequency of outside audits,
- b. prior audit findings,
- c. type of Contract,
- d. dollar amount of contract,
- e. internal control structure of subcontractor,
- f. abnormal frequency of personnel turnover,
- g. length of time as a subcontractor,
- h. history of marginal performance,
- i. has not conformed to conditions of previous contracts.

3. Review of subcontractor's relevant cost information when contract is renewed.

(a) The State Auditor's Office conducts the periodic independent audit of the waiver program as required by the single audit act.

(b) The financial audit program that the state conducts to ensure the integrity of provider billings for Medicaid payment of waiver services, including the methods, scope, and frequency of audits:

AAAs are responsible for monitoring Home Care Agency service contractors with whom they have executed contracts. Full on-site monitoring occurs every two years. A new subcontractor must receive a full monitoring for each of the first two years they are under contract. Abbreviated monitoring occurs in each year when full on-site monitoring does not occur. Desk monitoring occurs semi-annually. Review tools and policies are available through ALTSA. In addition to administrative review, client record and plan of care review, full on-site monitoring includes a fiscal review.

Fiscal Review: Comparison of a sample of contractor billings/ProviderOne reports to contractor-maintained documentation of work performed. A review of individual employee time records is part of this responsibility. The minimum sample size is 5% of current authorizations. The monitoring activity verifies that work billed for was performed, that the contractor is maintaining documentation of work performed, and that employees are paid for work performed. The five percent sample size has been the standard for decades and represents a statistically valid sample size. HCS is in the process of updating their policy chapter on contracts and changing the sample size methodology to give AAAs more latitude in applying their resources to the highest risk programs and providers based on their risk assessment. A five percent sample is still the recommended floor for sample sizes.

An abbreviated review consists of a review of complaints and review of any items where compliance was not met during the full review. The abbreviated review must be expanded to a full review when a subcontractor exhibits significant problems that are not corrected as required by corrective action.

Desk monitoring consists of a review of program and financial reports to compare level of service provided to the level of service authorized. AAA verification of a sample of time keeping records is required for home care agencies that exceed a ratio of provided versus authorized hours of 92% or above for the quarter reviewed. AAAs must require a written response from home care agencies that have a quarterly ratio of provided versus authorized hours that are equal to or less than 75%. If the reason for the underserved hours is primarily due to an agency's inability to appropriately respond to referrals or provide adequate staffing levels, a corrective action must be submitted by the agency.

Payment Review Program:

DSHS launched the Payment Review Program in 1999 to employ new technology to assist with the regular DSHS review of Medicaid billings for accuracy. The focus of the Payment Review Program is to identify and prevent billing and payment errors. Originally, PRP only looked at claims through the MMIS. Social Service Payment System (SSPS) billings were added to PRP in 2002. The Health Care Authority continues to run the PRP after moving out of DSHS and still includes DSHS billings from ProviderOne and individual ProviderOne.. PRP employs algorithms to detect patterns and occurrences that may indicate problem billings. The PRP uses an extensive internal algorithm development and review process. To keep providers informed about finalized algorithms, the Payment Review Program has posted the algorithm descriptions on the

HCA Internet site.

Teams of HCA, ALTSA, and DDA clinical, program and policy experts rigorously review all data analysis results from PRP reports to ensure accuracy.

Monitoring for other waiver service contractors is conducted at a minimum every two years. AAAs may conduct either a full or abbreviated monitoring based on a usage/risk threshold. Triggers for a full monitoring are within a two-year period and include:

1. five or more authorizations, or
2. one complaint concerning quality of care or client safety, or
3. \$5000 or more in payments, or
4. any other reason the AAA thinks a contractor needs to be monitored

Full monitoring of other waiver service contractors includes a comparison of contractor billings to contractors' maintained documentation of work performed. Verification that the work was performed should also be obtained from the client if possible. The minimum sample size for short term or one time services such as environmental modifications or specialized medical equipment is 5% of the total clients the contractor served in the previous two years. The minimum sample size for services that are generally ongoing such as skilled nursing or PERS is 5% of current authorizations. Monitoring includes review of individual files where they exist for services such as skilled nursing, client training, adult day care, home delivered meals and home health aide services.

(c)the agency (or agencies) responsible for conducting the financial audit program, State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

The Aging and Long-Term Support Administration is responsible for conducting the financial review program of AAAs. AAAs are responsible for conducting financial review activities of subcontracted providers. The State Auditor's Office conducts the periodic independent audit of the waiver program as required by the single audit act.

Continued at Main B. Optional:

Appendix I: Financial Accountability

Quality Improvement: Financial Accountability

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

a. Methods for Discovery: Financial Accountability Assurance:

The State must demonstrate that it has designed and implemented an adequate system for ensuring financial accountability of the waiver program. (For waiver actions submitted before June 1, 2014, this assurance read "State financial oversight exists to assure that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver.")

i. Sub-Assurances:

a. Sub-assurance: The State provides evidence that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver and only for services rendered.

(Performance measures in this sub-assurance include all Appendix I performance measures for waiver actions submitted before June 1, 2014.)

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to

analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

I.a.1: # & % of claims coded & paid in accordance with reimbursement methodology in approved waiver for waiver services rendered per waiver participant's PCSP with documented service delivery. N = # of claims coded & paid in accordance with reimbursement methodology in approved wvr for wvr services rendered per wvr part's PCSP with documented service delivery. D = # of wvr claims reviewed.

Data Source (Select one):

Financial records (including expenditures)

If 'Other' is selected, specify:

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|---|--|---|
| <input type="checkbox"/> State Medicaid Agency | <input type="checkbox"/> Weekly | <input type="checkbox"/> 100% Review |
| <input checked="" type="checkbox"/> Operating Agency | <input type="checkbox"/> Monthly | <input checked="" type="checkbox"/> Less than 100% Review |
| <input type="checkbox"/> Sub-State Entity | <input type="checkbox"/> Quarterly | <input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% confidence level with a +/- 5% margin of error. |
| <input type="checkbox"/> Other Specify: <div></div> | <input checked="" type="checkbox"/> Annually | <input type="checkbox"/> Stratified Describe Group: <div></div> |
| | <input type="checkbox"/> Continuously and Ongoing | <input type="checkbox"/> Other Specify: <div></div> |
| | <input type="checkbox"/> Other Specify: <div></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> <i>State Medicaid Agency</i> | <input type="checkbox"/> <i>Weekly</i> |
| <input checked="" type="checkbox"/> <i>Operating Agency</i> | <input type="checkbox"/> <i>Monthly</i> |
| <input type="checkbox"/> <i>Sub-State Entity</i> | <input type="checkbox"/> <i>Quarterly</i> |
| <input type="checkbox"/> <i>Other</i> <i>Specify:</i> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> <i>Annually</i> |
| | <input type="checkbox"/> <i>Continuously and Ongoing</i> |
| | <input type="checkbox"/> <i>Other</i> <i>Specify:</i> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

- b. Sub-assurance: The state provides evidence that rates remain consistent with the approved rate methodology throughout the five year waiver cycle.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

I.b.1: # & % of waiver provider rate methodologies utilized by contract specialists that are consistent with rate methodology in approved waiver application. N = # of wvr provider rate methodologies utilized by contract specialists that are consistent with rate methodology in approved wvr application. D = # of wvr provider rate methodologies utilized by contract specialists that were reviewed.

Data Source (Select one):

Other

If 'Other' is selected, specify:

Agency Contracts Database (ACD)

| Responsible Party for data collection/generation (check each that applies): | Frequency of data collection/generation (check each that applies): | Sampling Approach (check each that applies): |
|--|---|---|
| | | |

| | | |
|---|---|---|
| <input type="checkbox"/> <i>State Medicaid Agency</i> | <input type="checkbox"/> <i>Weekly</i> | <input type="checkbox"/> <i>100% Review</i> |
| <input checked="" type="checkbox"/> <i>Operating Agency</i> | <input type="checkbox"/> <i>Monthly</i> | <input checked="" type="checkbox"/> <i>Less than 100% Review</i> |
| <input type="checkbox"/> <i>Sub-State Entity</i> | <input type="checkbox"/> <i>Quarterly</i> | <input checked="" type="checkbox"/> <i>Representative Sample</i> <i>Confidence Interval =</i> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 95% confidence level with a +/- 5% margin of error. </div> |
| <input type="checkbox"/> <i>Other Specify:</i> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> <i>Annually</i> | <input type="checkbox"/> <i>Stratified Describe Group:</i> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> |
| | <input type="checkbox"/> <i>Continuously and Ongoing</i> | <input type="checkbox"/> <i>Other Specify:</i> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> |
| | <input type="checkbox"/> <i>Other Specify:</i> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> | |

Data Aggregation and Analysis:

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|--|
| <input type="checkbox"/> <i>State Medicaid Agency</i> | <input type="checkbox"/> <i>Weekly</i> |
| <input checked="" type="checkbox"/> <i>Operating Agency</i> | <input type="checkbox"/> <i>Monthly</i> |
| <input type="checkbox"/> <i>Sub-State Entity</i> | <input type="checkbox"/> <i>Quarterly</i> |
| <input type="checkbox"/> <i>Other Specify:</i> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> <i>Annually</i> |
| | <input type="checkbox"/> <i>Continuously and Ongoing</i> |

| Responsible Party for data aggregation and analysis (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|---|---|
| | <input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

I.a.1: The Waiver Team completes a review of all paid claims files across all waivers annually using the ProviderOne MMIS. Findings that require corrections are referred to Payment Specialists who will work with case resource managers to make necessary corrections within 90 days.

I.b.1: Waiver Team annually audits a stratified random sample of provider contracts across all waiver services to verify that provider rate methodologies utilized by contract specialists are consistent with the rate methodologies in the approved waiver. When unapproved rate methodologies are found, contract specialists are notified and contracts are modified or terminated. Waiver Team follows up with contract specialists to verify that contracts are modified or terminated.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

The state's intent is to consistently verify financial and disability eligibility of waiver participants during the evidentiary review process.

Waiver File Reviews:

I.a.1:

Findings from the Waiver Team and Supervisor file reviews are analyzed by management, and based on the analysis necessary steps are taken to increase compliance. For example:.

- Annual Waiver Training curriculum is developed in part to address audit findings*
- Annual Automated Client Eligibility System (ACES) training addresses financial and disability eligibility determination issues reflected in annual audits*
- Policy clarifications occur as a result of audit findings.*
- Analyses of findings assist regions to recognize personnel issues.*
- Analysis of audit finding may impact format and instructions on forms.*
- Analysis of findings has led to revision in Waiver WAC to clarify rule.*
- Analysis of findings has led regions to revise regional processes.*

Providers whose service authorization included a rate higher than the contracted rate are reviewed to determine the appropriate course of action. Overpayments are processed as necessary.

I.b.1: Waiver Team annually audits a stratified random sample of provider contracts across all waiver services to verify that provider rate methodologies utilized by contract specialists are consistent with the rate methodologies in the approved waiver. When unapproved rate methodologies are found, contract specialists are notified and contracts are modified or terminated. Waiver Team follows up with contract specialists to verify that contracts are modified or terminated.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

| Responsible Party (check each that applies): | Frequency of data aggregation and analysis (check each that applies): |
|--|--|
| <input type="checkbox"/> <i>State Medicaid Agency</i> | <input type="checkbox"/> <i>Weekly</i> |
| <input checked="" type="checkbox"/> <i>Operating Agency</i> | <input type="checkbox"/> <i>Monthly</i> |
| <input type="checkbox"/> <i>Sub-State Entity</i> | <input checked="" type="checkbox"/> <i>Quarterly</i> |
| <input type="checkbox"/> <i>Other</i> <i>Specify:</i> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> | <input checked="" type="checkbox"/> <i>Annually</i> |
| | <input type="checkbox"/> <i>Continuously and Ongoing</i> |
| | <input type="checkbox"/> <i>Other</i> <i>Specify:</i> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div> |

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Financial Accountability that are currently non-operational.

☒ *No*

☐ *Yes*

Please provide a detailed strategy for assuring Financial Accountability, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix I: Financial Accountability

I-2: Rates, Billing and Claims (1 of 3)

a. Rate Determination Methods. In two pages or less, describe the methods that are employed to establish provider payment rates for waiver services and the entity or entities that are responsible for rate determination. Indicate any opportunity for public comment in the process. If different methods are employed for various types of services, the description may group services for which the same method is employed. State laws, regulations, and policies referenced in the description are available upon request to CMS through the Medicaid agency or the operating agency (if applicable).

The State publishes its fee schedules at: <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management>.

All negotiated rates comply with Federal and Washington State minimum wage requirements.

The DDA and the Health Care Authority follow the federal guidelines found in 42 U.S.C. § 1396a(a)(30)(A) when establishing rates so that payments are consistent with efficiency, economy and quality of care and are sufficient to enlist providers for services to ensure adequate access to care for Medicaid recipients. Steps taken to ensure rates comply with federal requirements include: workgroups, stakeholder meetings, consultation with program managers, consultation with professional organizations, analysis of market rates, rates paid by other states for comparable services, and the budget impacts of rates. For example, for nursing services, comparable services in the private sector and in other states include private duty nursing/in-home nursing as provided by LPNs or RNs.

Payment cannot exceed 1) the prevailing charges in the locality for comparable services under comparable circumstances, or 2) the rates charged for comparable services funded by other sources. Methods for determining reasonable rates include periodic market surveys, cost analysis and price comparison. HCA conducts these activities every two to four years, per requests by the Legislature and/or indications that access to services is being impacted by current rates. For DDA rates, this information has been added below under each set of services.

Waiver service definitions and provider qualifications are standardized. This helps ensure that rates are comparable (not necessarily identical) across the state for those services that are negotiated on a regional basis by DDA staff, as rates are for identical services with providers meeting the same qualifications.

HCA rates are updated every January with any possible new codes, and rates are changed every July to align with the new relative value units (RVUs), State geographic price cost index (GPCI), and State specific conversion factor. For codes that do not have RVUs, rates are usually set at a flat rate. If analysis shows they need to be updated, that happens every July with the other codes. The most recent update was in July 2019, and will be updated again this coming July 2022.

With respect to rates established by DDA, the most recent rate comparison was conducted in the spring of 2021.

For HCA-based rates, an amendment to the rates is triggered by directive and/or funding by the Legislature, and/or a change to RVUs, and the Legislature is responsible for funding rate changes. The HCA identifies the need for a rate change using indicators listed below. Without additional funding, rate changes must be budget neutral. If a rate change is not budget neutral, it would be made only if funding was provided by the Legislature or the Legislature required service coverage changes to save the funding needed for the rate change.

For DDA, specifics regarding when rates are adjusted & the criteria used to evaluate the need for rate adjustments are at the end of the discussion of each set of services. When funding is available, the Legislature mandates rate increases for specific types of vendors (e.g., individual providers, residential providers, adult family homes) and/or services.

Regarding criteria for HCA to adjust rates, RVU driven rates are updated yearly per new RVUs. For flat rates, a significant (e.g., 25%) drop in the use of services by Medicaid participants, a significant (e.g., 25%) drop in the number of enrolled providers, an indication that payment rates are substantially (e.g., 40%) below third-party insurer rates, and/or a request by the Legislature for an analysis of rate adequacy are indicators of the need for rate adjustments. Rates are adjusted with approval from the Legislature.

Rates negotiated with employee unions are static during the life of the contract & are the rates identified within the contract. These rates are only adjusted as written within the contract.

Regarding the cost allocation plan, DSHS does not establish indirect rates for Title XIX administration. A Public Assistance Cost allocation plan allocates administrative costs through various allocation methodologies (see attachment for the most current submission). The Public Assistance Cost Allocation plans for DDA & ALSTA describe the cost allocation methodologies to the CFDA (Medicaid) grant level & does not list specific waivers.

OPPORTUNITY FOR PUBLIC COMMENT IN THE RATE DETERMINATION PROCESS:

The Administrative Procedure Act, Chapter 34.05 RCW, is followed when soliciting public comments on rate

determination methods. Changes to rates that are made by the legislature in the biennial and supplemental budget process are part of public hearings on budget and policy legislation. Rates are posted on public web sites. The State engages in significant public input processes outlined in Main Section 6-I.

Day Habilitation- Fee schedule

o Individual Supported Employment/Group Supported Employment- Fee Schedule

The state uses a fee schedule model of rate setting with one rate for the single service of ISE/GSE. The operating budget is set by the State legislature. Unit rates are negotiated annually between the counties and their providers within the parameters established by the county Service Guidelines and the county allocations. Variations in rates are due to differences among providers related to overhead, staff wages, and the local demand for services. Rates are available to the public through the counties. For Individual and Group Employment, and Individualized Technical Assistance, State discusses rates with the Association of County Human Services. Participants are involved in the development of rates through their participation in the Waiver Quality Assurance Advisory Committee which meets quarterly to review all aspects of waiver services, including provider rates.

Assistive Technology & Specialized Equipment & Supplies: Rates are based on usual & customary charges for the products/services as paid by the general public. Charges are adjusted by the supplier based on overhead, staff wages & the local demand for the products/services. To maintain availability of these products/services for waiver participants, DDA adjusts rates if rate comparisons indicate prevailing market rates have increased significantly (e.g., 20%+).

Environmental Adaptations: Payments are based upon bids received by potential contractors. Variations in payments are due to differences among providers related to overhead, staff wages, and the local demand for services. Payments are adjusted as the bids change over time, which in turn are based on the local cost of goods & labor & the demand for the service. Providers initiate the change in payment by the bids they submit. Competitive bids are reviewed by DDA staff.

Extermination of Bed Bugs – Market Rate: DDA uses current market rate as the rate setting methodology for Extermination of Bed Bugs.

Stabilization Services – Staff/Family Consultation Services, Stabilization Services - Specialized Habilitation, Staff/Family Consultation Services, and Specialized Evaluation and Consultation – Fee Schedule Rates: Rates are researched and established by the Rates Unit of Management Services Division/ALISA/DSHS and are based on the provider status as an individual provider or agency staff. State explained that it utilized the cost build up approach. State looked up wages from the Bureau of Labor Statistics, Job Classes tab, based on the hourly mean wages of related positions in 2017. If it was determined that the service required multiple professionals to perform the service, then the average hourly means were added together to establish an hourly rate. To establish the rate range, the State took the average hourly wage and established the low end of the range by taking 90% of the hourly mean wage, multiplied that by 1.317 to add in taxes and benefits which can be found on the BLS benefits table tab, and added two years of inflation which was 4.4% per year. To establish the high end of the formula, the State took 110% of the hourly mean wage, multiplied by 1.317 to account for taxes and benefits, and added two years of inflation (4.4% per year) to the rate. Rate ranges are reviewed every three years and rates for each provider are reviewed within their identified rate range at the time of provider recontracting. Waiver services rates have been reviewed in the last five years on varying schedules. Residential habilitation provider rates were last reviewed and many rebased in 2019, assistive technology, specialized equipment and supplies, environmental adaptations, nursing, person centered plan facilitation, staff/family consultation, supported parenting, respite, and community engagement rates were reviewed and rebased when appropriate, in 2021/2022, and peer mentoring, specialized habilitation, music and equine therapy, and risk assessment are being reviewed now in 2022 for potential rebasing, if necessary in 2023. Service rates are not determined geographically.

Continued at Main B. Optional

- b. Flow of Billings.** Describe the flow of billings for waiver services, specifying whether provider billings flow directly from providers to the state's claims payment system or whether billings are routed through other intermediary entities. If billings flow through other intermediary entities, specify the entities:

The Department of Social and Health Services (DSHS), the State Operating Agency, receives funding appropriated by the Legislature in the biennial budget. Funding (both state dollars and federal dollars) is provided to DSHS and allotted to the Developmental Disabilities Administration (DDA). DDA receives the appropriation and allots funds to its operating regions via Regional Budgets for most service (e.g., residential, personal care, professional) categories.

Direct Service Payments

Washington State's Health Care Authority (the single state Medicaid Agency) has a MMIS titled "ProviderOne". The State makes most payments for client services through ProviderOne. Once a provider is authorized for a service that the provider must claim, the provider provides the service and submits the claim directly into the MMIS ProviderOne system. Payments are issued by EFT or Warrant.

Case managers pre-authorize services based on the assessed need for the services. After the goods or service are provided the provider then reports the amount of service provided by date of service and are paid based on their claim. ProviderOne is an integrated MMIS system that manages medical and social service claims. Independent contractors who receive a 1099 tax form are paid directly through ProviderOne. Individual providers who receive a W2 for reportable wages are paid through a payroll system operated by the CDE. All authorization and claim data regardless of provider type is integrated and reportable in ProviderOne and the ProviderOne data warehouse.

Payments to State Employees

The State-Operated Living Alternatives (SOLA) programs are supported living program staffed with state employees. Employee salaries are included in the appropriation provided to the Administration by the Legislature. Salaries for State-staffed stabilization services - crisis diversion bed as components of stabilization services are also included in the appropriation provided to the Administration by the Legislature. State employees that provide these services are paid twice a month like other state employees, with the payment amount determined by their job classification and experience.

Appendix I: Financial Accountability

I-2: Rates, Billing and Claims (2 of 3)

c. Certifying Public Expenditures (select one):

- ☒ **No. state or local government agencies do not certify expenditures for waiver services.**
- ☐ **Yes. state or local government agencies directly expend funds for part or all of the cost of waiver services and certify their state government expenditures (CPE) in lieu of billing that amount to Medicaid.**

Select at least one:

- ☐ **Certified Public Expenditures (CPE) of State Public Agencies.**

Specify: (a) the state government agency or agencies that certify public expenditures for waiver services; (b) how it is assured that the CPE is based on the total computable costs for waiver services; and, (c) how the state verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). (Indicate source of revenue for CPEs in Item I-4-a.)

- ☐ **Certified Public Expenditures (CPE) of Local Government Agencies.**

Specify: (a) the local government agencies that incur certified public expenditures for waiver services; (b) how it is assured that the CPE is based on total computable costs for waiver services; and, (c) how the state verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). (Indicate source of revenue for CPEs in Item I-4-b.)

Appendix I: Financial Accountability

I-2: Rates, Billing and Claims (3 of 3)

*d. **Billing Validation Process.** Describe the process for validating provider billings to produce the claim for federal financial participation, including the mechanism(s) to assure that all claims for payment are made only: (a) when the individual was eligible for Medicaid waiver payment on the date of service; (b) when the service was included in the participant's approved service plan; and, (c) the services were provided:*

a.) Individual was eligible for Medicaid waiver payment on the date of service.

1) ProviderOne has a waiver identifier based on waiver status that indicates an individual is on a home and community-based services waiver.

2) Waiver Status in CARE Waiver Screen

The Developmental Disabilities Administration's Case Management Information System (CMIS) includes a "Waiver Screen" that contains the type of waiver an individual is on, the waiver begin date, and waiver end date (if any). A waiver effective date for the individual is entered into the Waiver Screen by CARE once the necessary waiver eligibility confirmation steps have been completed. These steps include:

- Verification of the need for ICF/IID Level of Care (LOC),
- Financial eligibility (as established by financial workers in the Long Term Care & Specialty Program Unit within DDA),
- Documentation of Voluntary Participation statement,
- Verification of disability per criteria established in the SSA, and
- Completion of a Person Centered Service Plan (PCSP).

CARE enters a waiver effective date based on the effective date of the PCSP which is the last step in the waiver eligibility verification process. The waiver effective date serves as the beginning date for claiming of federal financial participation for waiver services. Case Resource Managers may only assign a Waiver Recipient Aid Category (RAC) once the steps above are complete.

Should a waiver RAC be assigned but a person has a loss of financial eligibility during the coverage period, ProviderOne will post edits. The usual MMIS edits apply to claims under the HCBS waivers. For example, the following will be verified: the individual is eligible for the specified HCBS waiver, the service is covered under the waiver, the provider is a qualified provider with a current contract, and the claim details are consistent with the service authorization completed by the DDA case resource manager.

b.) Service was included in the participant's approved person-centered service plan to ensure that PCSPs reflect the current needs of the individual, PCSPs are updated as needed and at least annually (please see Appendix H-1a.i for a description of the steps taken to ensure PCSPs are updated).

DDA Quality Compliance Coordinators (QCCs) annually review a statewide sample of clients. Their review includes a comparison of service payments with the services contained in approved PCSPs to ensure that services claimed against the Core waiver are contained in the approved PCSP.

c.) The services were provided.

Monitoring of the provision of services is outlined in Appendix H-1b.i. Steps taken include:

- QCC file reviews verify the authorization matches the PCSP including the type, scope, amount, duration and frequency of the service. When findings occur, regions have 30 days to correct problems. QCCs monitor the corrective action plans.
- CRMs or Social Service Specialists complete a review of last year's plan with the waiver recipient prior to beginning the planning process for the upcoming year. A portion of the review is to confirm that services were received in accordance with the PCSP.
- The State participates in the National Core Indicators Survey, which includes waiver related questions. This annual face-to-face sampling of waiver participants enables DDA management to evaluate PCSP outcomes from the recipient's perspective.

State has DDA Policy 6.10 Client Overpayments, DSHS Administrative Policy 10.02, Vendor/Provider Overpayment and Debt and Social Services Authorization Manual which provide guidance to staff on how to process inappropriate billings. Any inappropriate billings are removed from the State's claim for Federal Financial Participation.

State has multiple processes in place to ensure that participants are not coerced or otherwise pressured to use particular providers. State Case Resource Managers ask participants during the annual Person-Centered Service Plan reassessment if they are satisfied with their providers or if they wish to change providers. The Assessment Meeting Wrap-up, completed during the assessment, has several questions about services and service providers (My case manager explained that I can choose or change my service provider(s); If I had concerns or issues about my service plan, they have been or are being addressed; We discussed any questions I had about my DDA services; My case manager explained how I can make a complaint that is not related to an appeal of DDA services). Following the assessment, participants receive a Person Centered Service Plan Meeting Survey asking about the assessment process, including: Were you given a choice of providers? Did you choose where and how the services will be provided? Did your case manager review last year's plan and ask what supports you want to continue and what should change? Participants also

have the opportunity to participate in the National Core Indicators surveys which ask questions about provider choice and participant satisfaction with services.

Revised PMs D.a.1, D.a.2, D.d.1, D.d.2, D.d.3, D.d.4 & D.d.5 all measure various means of verification that planned services were provided.

- e. Billing and Claims Record Maintenance Requirement.** Records documenting the audit trail of adjudicated claims (including supporting documentation) are maintained by the Medicaid agency, the operating agency (if applicable), and providers of waiver services for a minimum period of 3 years as required in 45 CFR §92.42.

Appendix I: Financial Accountability

I-3: Payment (1 of 7)

a. Method of payments -- MMIS (select one):

- ☐ Payments for all waiver services are made through an approved Medicaid Management Information System (MMIS).
- ☒ Payments for some, but not all, waiver services are made through an approved MMIS.

Specify: (a) the waiver services that are not paid through an approved MMIS; (b) the process for making such payments and the entity that processes payments; (c) and how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:

The State makes most payments for client services through ProviderOne. ProviderOne is an unified Medicaid payments system that provides enforcement and assurance that case resource managers and providers are compliant with rules and policy. Once a provider is authorized for a service that the provider must claim, the provider provides the service and submits the claim directly into the MMIS ProviderOne system. Payments are issued by EFT or Warrant. In ProviderOne payments are based on an authorization by the case resource manager however there is not an invoice processed. Both providers and clients are notified of creation or changes to authorization. The provider then submits an online claim for payment based on the units provided. Claims are specific to the date of service. Providers can claim as often as daily if they choose. Payment can be made as frequently as weekly. A report of time worked by date will be required before payment will be made. ProviderOne is an unified Medicaid payments system that provides enforcement and assurance that case resource managers and providers are compliant with rules and policy.

Example of benefits of ProviderOne:

- Client and provider eligibility is checked at the authorization and at the claim. If a client does not have the correct financial eligibility or does not meet waiver criteria such as having an individualized assessment or is not ICF/IID eligible an authorization error will populate preventing payment prompting the case resource manager to either resolve the error or work with the client to help them meet eligibility criteria. If providers do not have the correct contract or correct credential, if required, for the authorized service an authorization error will populate and payment will not be made. Washington utilizes one system to process claims pertaining to the services provided to waiver participants. For Individual Providers of respite, payments are processed through their employer, the CDE. The CDE uses the State's MMIS system for all claims. CDE's phase-in was completed May 31, 2022. No new services will be claimed by Individual providers through the ProviderOne billing system. Poaitive Behavior Support and Consultation was removed from this waiver effective September 1, 2022.

- ☐ Payments for waiver services are not made through an approved MMIS.

Specify: (a) the process by which payments are made and the entity that processes payments; (b) how and through which system(s) the payments are processed; (c) how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:

- ☐ *Payments for waiver services are made by a managed care entity or entities. The managed care entity is paid a monthly capitated payment per eligible enrollee through an approved MMIS.*

Describe how payments are made to the managed care entity or entities:

Appendix I: Financial Accountability

I-3: Payment (2 of 7)

- b. Direct payment.** *In addition to providing that the Medicaid agency makes payments directly to providers of waiver services, payments for waiver services are made utilizing one or more of the following arrangements (select at least one):*

- ☐ *The Medicaid agency makes payments directly and does not use a fiscal agent (comprehensive or limited) or a managed care entity or entities.*
- ☐ *The Medicaid agency pays providers through the same fiscal agent used for the rest of the Medicaid program.*
- ☒ *The Medicaid agency pays providers of some or all waiver services through the use of a limited fiscal agent.*

Specify the limited fiscal agent, the waiver services for which the limited fiscal agent makes payment, the functions that the limited fiscal agent performs in paying waiver claims, and the methods by which the Medicaid agency oversees the operations of the limited fiscal agent:

The Department of Social and Health Services (DSHS), the State Operating Agency, receives funding appropriated by the Legislature in the biennial budget. Funding (both state dollars and federal dollars) is provided to DSHS and allotted to the Developmental Disabilities Administration (DDA). DDA receives the appropriation and allots funds to its operating regions via Regional Budgets for most service (e.g., residential, personal care, professional) categories.

Direct Service Payments

Washington State's Health Care Authority (the single state Medicaid Agency) has a MMIS titled "ProviderOne". The State makes most payments for client services through ProviderOne. Once a provider is authorized for a service that the provider must claim, the provider provides the service and submits the claim directly into the MMIS ProviderOne system. Payments are issued by EFT or Warrant.

Case managers pre-authorize services based on the assessed need for the services. After the goods or service are provided the provider then reports the amount of service provided by date of service and are paid based on their claim. ProviderOne is an integrated MMIS system that manages medical and social service claims. Independent contractors who receive a 1099 tax form are paid directly through ProviderOne. Individual providers who receive a W2 for reportable wages are paid through a payroll system operated by the CDE. All authorization and claim data regardless of provider type is integrated and reportable in ProviderOne and the ProviderOne data warehouse.

Payments to State Employees

The State-Operated Living Alternatives (SOLA) programs are supported living program staffed with state employees. Employee salaries are included in the appropriation provided to the Administration by the Legislature. Salaries for State-staffed stabilization services - crisis diversion bed as components of stabilization services are also included in the appropriation provided to the Administration by the Legislature. State employees that provide these services are paid twice a month like other state employees, with the payment amount determined by their job classification and experience.

- ☐ *Providers are paid by a managed care entity or entities for services that are included in the state's contract with the entity.*

Specify how providers are paid for the services (if any) not included in the state's contract with managed care entities.

Appendix I: Financial Accountability

I-3: Payment (3 of 7)

c. Supplemental or Enhanced Payments. Section 1902(a)(30) requires that payments for services be consistent with efficiency, economy, and quality of care. Section 1903(a)(1) provides for Federal financial participation to states for expenditures for services under an approved state plan/waiver. Specify whether supplemental or enhanced payments are made. Select one:

- ☒ **No. The state does not make supplemental or enhanced payments for waiver services.**
- ☐ **Yes. The state makes supplemental or enhanced payments for waiver services.**

Describe: (a) the nature of the supplemental or enhanced payments that are made and the waiver services for which these payments are made; (b) the types of providers to which such payments are made; (c) the source of the non-Federal share of the supplemental or enhanced payment; and, (d) whether providers eligible to receive the supplemental or enhanced payment retain 100% of the total computable expenditure claimed by the state to CMS. Upon request, the state will furnish CMS with detailed information about the total amount of supplemental or enhanced payments to each provider type in the waiver.

Appendix I: Financial Accountability

I-3: Payment (4 of 7)

d. Payments to state or Local Government Providers. Specify whether state or local government providers receive payment for the provision of waiver services.

- ☐ **No. State or local government providers do not receive payment for waiver services. Do not complete Item I-3-e.**
- ☒ **Yes. State or local government providers receive payment for waiver services. Complete Item I-3-e.**

Specify the types of state or local government providers that receive payment for waiver services and the services that the state or local government providers furnish:

State-Operated Living Alternatives (SOLA) provides Residential Habilitation, Stabilization Services - Crisis Diversion Bed and counties provide or contract with providers to provide Individual Supported Employment/Group Supported Employment, Individualized Technical Assistance and Community Inclusion.

Appendix I: Financial Accountability

I-3: Payment (5 of 7)

e. Amount of Payment to State or Local Government Providers.

Specify whether any state or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed its reasonable costs of providing waiver services and, if so, whether and how the state recoups the excess and returns the Federal share of the excess to CMS on the quarterly expenditure report. Select one:

- ☐ *The amount paid to state or local government providers is the same as the amount paid to private providers of the same service.*
- ☒ *The amount paid to state or local government providers differs from the amount paid to private providers of the same service. No public provider receives payments that in the aggregate exceed its reasonable costs of providing waiver services.*
- ☐ *The amount paid to state or local government providers differs from the amount paid to private providers of the same service. When a state or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed the cost of waiver services, the state recoups the excess and returns the federal share of the excess to CMS on the quarterly expenditure report.*

Describe the recoupment process:

Appendix I: Financial Accountability

I-3: Payment (6 of 7)

f. Provider Retention of Payments. Section 1903(a)(1) provides that Federal matching funds are only available for expenditures made by states for services under the approved waiver. Select one:

- ☒ *Providers receive and retain 100 percent of the amount claimed to CMS for waiver services.*
- ☐ *Providers are paid by a managed care entity (or entities) that is paid a monthly capitated payment.*

Specify whether the monthly capitated payment to managed care entities is reduced or returned in part to the state.

Appendix I: Financial Accountability

I-3: Payment (7 of 7)

g. Additional Payment Arrangements

i. Voluntary Reassignment of Payments to a Governmental Agency. Select one:

- ☐ *No. The state does not provide that providers may voluntarily reassign their right to direct payments to a governmental agency.*
- ☒ *Yes. Providers may voluntarily reassign their right to direct payments to a governmental agency as provided in 42 CFR §447.10(e).*

Specify the governmental agency (or agencies) to which reassignment may be made.

Counties

ii. Organized Health Care Delivery System. Select one:

- ☒ *No. The state does not employ Organized Health Care Delivery System (OHCDS) arrangements under the provisions of 42 CFR §447.10.*

- ☐ **Yes. The waiver provides for the use of Organized Health Care Delivery System arrangements under the provisions of 42 CFR §447.10.**

Specify the following: (a) the entities that are designated as an OHCDs and how these entities qualify for designation as an OHCDs; (b) the procedures for direct provider enrollment when a provider does not voluntarily agree to contract with a designated OHCDs; (c) the method(s) for assuring that participants have free choice of qualified providers when an OHCDs arrangement is employed, including the selection of providers not affiliated with the OHCDs; (d) the method(s) for assuring that providers that furnish services under contract with an OHCDs meet applicable provider qualifications under the waiver; (e) how it is assured that OHCDs contracts with providers meet applicable requirements; and, (f) how financial accountability is assured when an OHCDs arrangement is used:

iii. Contracts with MCOs, PIHPs or PAHPs.

- ☒ **The state does not contract with MCOs, PIHPs or PAHPs for the provision of waiver services.**
- ☐ **The state contracts with a Managed Care Organization(s) (MCOs) and/or prepaid inpatient health plan(s) (PIHP) or prepaid ambulatory health plan(s) (PAHP) under the provisions of §1915(a)(1) of the Act for the delivery of waiver and other services. Participants may voluntarily elect to receive waiver and other services through such MCOs or prepaid health plans. Contracts with these health plans are on file at the state Medicaid agency.**

Describe: (a) the MCOs and/or health plans that furnish services under the provisions of §1915(a)(1); (b) the geographic areas served by these plans; (c) the waiver and other services furnished by these plans; and, (d) how payments are made to the health plans.

- ☐ **This waiver is a part of a concurrent §1915(b)/§1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The §1915(b) waiver specifies the types of health plans that are used and how payments to these plans are made.**
- ☐ **This waiver is a part of a concurrent ?1115/?1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The ?1115 waiver specifies the types of health plans that are used and how payments to these plans are made.**
- ☐ **If the state uses more than one of the above contract authorities for the delivery of waiver services, please select this option.**

In the textbox below, indicate the contract authorities. In addition, if the state contracts with MCOs, PIHPs, or PAHPs under the provisions of §1915(a)(1) of the Act to furnish waiver services: Participants may voluntarily elect to receive waiver and other services through such MCOs or prepaid health plans. Contracts with these health plans are on file at the state Medicaid agency. Describe: (a) the MCOs and/or health plans that furnish services under the provisions of §1915(a)(1); (b) the geographic areas served by these plans; (c) the waiver and other services furnished by these plans; and, (d) how payments are made to the health plans.

a. State Level Source(s) of the Non-Federal Share of Computable Waiver Costs. Specify the state source or sources of the non-federal share of computable waiver costs. Select at least one:

- ☒ **Appropriation of State Tax Revenues to the State Medicaid agency**
☒ **Appropriation of State Tax Revenues to a State Agency other than the Medicaid Agency.**

If the source of the non-federal share is appropriations to another state agency (or agencies), specify: (a) the state entity or agency receiving appropriated funds and (b) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if the funds are directly expended by state agencies as CPEs, as indicated in Item I-2-c:

DSHS/DDA is the authorizing agency for all services payments. All payments and appropriations are managed through the State's MMIS in accordance with an MOU between DSHS and the Health Care Authority (Single State Medicaid Agency). The legislature make appropriations directly to DDA and HCA manages payments to vendors per the MOU between HCA and DSHS via the MMIS.

- ☐ **Other State Level Source(s) of Funds.**

Specify: (a) the source and nature of funds; (b) the entity or agency that receives the funds; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly expended by state agencies as CPEs, as indicated in Item I-2-c:

Appendix I: Financial Accountability

I-4: Non-Federal Matching Funds (2 of 3)

b. Local Government or Other Source(s) of the Non-Federal Share of Computable Waiver Costs. Specify the source or sources of the non-federal share of computable waiver costs that are not from state sources. Select One:

- ☒ **Not Applicable.** There are no local government level sources of funds utilized as the non-federal share.
☐ **Applicable**

Check each that applies:

- ☐ **Appropriation of Local Government Revenues.**

Specify: (a) the local government entity or entities that have the authority to levy taxes or other revenues; (b) the source(s) of revenue; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement (indicate any intervening entities in the transfer process), and/or, indicate if funds are directly expended by local government agencies as CPEs, as specified in Item I-2-c:

- ☐ **Other Local Government Level Source(s) of Funds.**

Specify: (a) the source of funds; (b) the local government entity or agency receiving funds; and, (c) the mechanism that is used to transfer the funds to the state Medicaid agency or fiscal agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly

expended by local government agencies as CPEs, as specified in Item I-2-c:

Appendix I: Financial Accountability

I-4: Non-Federal Matching Funds (3 of 3)

c. Information Concerning Certain Sources of Funds. Indicate whether any of the funds listed in Items I-4-a or I-4-b that make up the non-federal share of computable waiver costs come from the following sources: (a) health care-related taxes or fees; (b) provider-related donations; and/or, (c) federal funds. Select one:

☒ **None of the specified sources of funds contribute to the non-federal share of computable waiver costs**

☐ **The following source(s) are used**

Check each that applies:

☐ **Health care-related taxes or fees**

☐ **Provider-related donations**

☐ **Federal funds**

For each source of funds indicated above, describe the source of the funds in detail:

Appendix I: Financial Accountability

I-5: Exclusion of Medicaid Payment for Room and Board

a. Services Furnished in Residential Settings. Select one:

☐ **No services under this waiver are furnished in residential settings other than the private residence of the individual.**

☒ **As specified in Appendix C, the state furnishes waiver services in residential settings other than the personal home of the individual.**

b. Method for Excluding the Cost of Room and Board Furnished in Residential Settings. The following describes the methodology that the state uses to exclude Medicaid payment for room and board in residential settings:

The Department of Social and Health Services/Developmental Disabilities Administration (the State Operating Agency), receives funding for all waiver services. Payment for most waiver services will be made directly to service providers via ProviderOne, and Individual ProviderOne, both approved MMIS which are operated by the Health Care Authority, the Single State Agency.

No funds to cover the portion of the rates that are non-match are transferred to the Medicaid agency. All nonmatch funding is appropriated to the State Medicaid Agency or the State Operating Agency by the Legislature.

Residential Habilitation is furnished in residential settings. (1) Residential habilitation services include assistance:

(a) With personal care and supervision; and

(b) To learn, improve or retain social and adaptive skills necessary for living in the community.

(2) Residential habilitation services may provide instruction and support addressing one or more of the following outcomes:

(a) Inclusion;

(b) Status and Contribution;

(c) Relationships;

(d) Power and Choice;

(e) Health and Safety; and

(f) Competence.

Residential habilitation services are provided in the individual's home in which the individual has their name on the rental agreement, pays the rent and for their food, and decorates the home to their taste. Participates in preparing their meals and chooses what to eat. Authorization for an individual's Residential Habilitation service includes the listed services above and specifically excludes room and board. The State's MMIS does not have the ability to authorize room and board.

The State notes that participants in this waiver exclusively live in their own homes where they are listed on the lease, pay their own lease payment and pay for their own food.

The State notes that room and board charges for participants in settings other than the participants' own home are paid for with state-only funds. Stabilization Services – Crisis Diversion Bed has a service rate which covers only the habilitative supports that the participant receives while the room and board portion of this service is paid with state-only funds.

Appendix I: Financial Accountability

I-6: Payment for Rent and Food Expenses of an Unrelated Live-In Caregiver

Reimbursement for the Rent and Food Expenses of an Unrelated Live-In Personal Caregiver. Select one:

- ☒ **No. The state does not reimburse for the rent and food expenses of an unrelated live-in personal caregiver who resides in the same household as the participant.**
- ☐ **Yes. Per 42 CFR §441.310(a)(2)(ii), the state will claim FFP for the additional costs of rent and food that can be reasonably attributed to an unrelated live-in personal caregiver who resides in the same household as the waiver participant. The state describes its coverage of live-in caregiver in Appendix C-3 and the costs attributable to rent and food for the live-in caregiver are reflected separately in the computation of factor D (cost of waiver services) in Appendix J. FFP for rent and food for a live-in caregiver will not be claimed when the participant lives in the caregiver's home or in a residence that is owned or leased by the provider of Medicaid services.**

The following is an explanation of: (a) the method used to apportion the additional costs of rent and food attributable to the unrelated live-in personal caregiver that are incurred by the individual served on the waiver and (b) the method used to reimburse these costs:

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (1 of 5)

a. Co-Payment Requirements. Specify whether the state imposes a co-payment or similar charge upon waiver participants for waiver services. These charges are calculated per service and have the effect of reducing the total computable claim for federal financial participation. Select one:

- ☒ **No.** The state does not impose a co-payment or similar charge upon participants for waiver services.
- ☐ **Yes.** The state imposes a co-payment or similar charge upon participants for one or more waiver services.

i. Co-Pay Arrangement.

Specify the types of co-pay arrangements that are imposed on waiver participants (check each that applies):

Charges Associated with the Provision of Waiver Services (if any are checked, complete Items I-7-a-ii through I-7-a-iv):

- ☐ **Nominal deductible**
- ☐ **Coinsurance**
- ☐ **Co-Payment**
- ☐ **Other charge**

Specify:

Appendix I: Financial Accountability**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (2 of 5)**

a. Co-Payment Requirements.

ii. Participants Subject to Co-pay Charges for Waiver Services.

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

Appendix I: Financial Accountability**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (3 of 5)**

a. Co-Payment Requirements.

iii. Amount of Co-Pay Charges for Waiver Services.

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

Appendix I: Financial Accountability**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (4 of 5)**

a. Co-Payment Requirements.

iv. Cumulative Maximum Charges.

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (5 of 5)

b. Other State Requirement for Cost Sharing. Specify whether the state imposes a premium, enrollment fee or similar cost sharing on waiver participants. Select one:

- ☒ **No. The state does not impose a premium, enrollment fee, or similar cost-sharing arrangement on waiver participants.**
- ☐ **Yes. The state imposes a premium, enrollment fee or similar cost-sharing arrangement.**

Describe in detail the cost sharing arrangement, including: (a) the type of cost sharing (e.g., premium, enrollment fee); (b) the amount of charge and how the amount of the charge is related to total gross family income; (c) the groups of participants subject to cost-sharing and the groups who are excluded; and, (d) the mechanisms for the collection of cost-sharing and reporting the amount collected on the CMS 64:

Appendix J: Cost Neutrality Demonstration**J-1: Composite Overview and Demonstration of Cost-Neutrality Formula**

Composite Overview. Complete the fields in Cols. 3, 5 and 6 in the following table for each waiver year. The fields in Cols. 4, 7 and 8 are auto-calculated based on entries in Cols 3, 5, and 6. The fields in Col. 2 are auto-calculated using the Factor D data from the J-2-d Estimate of Factor D tables. Col. 2 fields will be populated ONLY when the Estimate of Factor D tables in J-2-d have been completed.

Level(s) of Care: ICF/IID

| Col. 1 | Col. 2 | Col. 3 | Col. 4 | Col. 5 | Col. 6 | Col. 7 | Col. 8 |
|--------|-----------|-----------|-------------|-----------|-----------|-------------|---------------------------------|
| Year | Factor D | Factor D' | Total: D+D' | Factor G | Factor G' | Total: G+G' | Difference (Col 7 less Column4) |
| 1 | 141763.08 | 8394.00 | 150157.08 | 370086.00 | 4497.00 | 374583.00 | 224425.92 |
| 2 | 154838.60 | 8558.00 | 163396.60 | 377303.00 | 4585.00 | 381888.00 | 218491.40 |
| 3 | 159723.23 | 8725.00 | 168448.23 | 384660.00 | 4674.00 | 389334.00 | 220885.77 |
| 4 | 164598.32 | 8895.00 | 173493.32 | 392161.00 | 4765.00 | 396926.00 | 223432.68 |
| 5 | 169865.84 | 9068.00 | 178933.84 | 399808.00 | 4858.00 | 404666.00 | 225732.16 |

Appendix J: Cost Neutrality Demonstration**J-2: Derivation of Estimates (1 of 9)**

a. Number Of Unduplicated Participants Served. Enter the total number of unduplicated participants from Item B-3-a who will be served each year that the waiver is in operation. When the waiver serves individuals under more than one level of care, specify the number of unduplicated participants for each level of care:

Table: J-2-a: Unduplicated Participants

| Waiver Year | Total Unduplicated Number of Participants (from Item B-3-a) | Distribution of Unduplicated Participants by Level of Care (if applicable) | |
|-------------|--|---|-----|
| | | Level of Care: | |
| | | ICF/IID | |
| Year 1 | 504 | | 504 |
| Year 2 | 504 | | 504 |
| Year 3 | 504 | | 504 |

| Waiver Year | Total Unduplicated Number of Participants (from Item B-3-a) | Distribution of Unduplicated Participants by Level of Care (if applicable) | |
|-------------|--|---|-----|
| | | Level of Care: | |
| | | ICF/IID | |
| Year 4 | 504 | | 504 |
| Year 5 | 504 | | 504 |

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (2 of 9)

b. Average Length of Stay. Describe the basis of the estimate of the average length of stay on the waiver by participants in item J-2-a.

State derived regression formula $Y = 1.23X + 340.05$ from ALOS's of accepted CMS 372 reports for waiver years 2015-2016 through 2018-2019 (340.6, 344.9, 341.0 & 346.0)) to project ALOS for WY1-WY5 of 349.

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (3 of 9)

c. Derivation of Estimates for Each Factor. Provide a narrative description for the derivation of the estimates of the following factors.

i. Factor D Derivation. The estimates of Factor D for each waiver year are located in Item J-2-d. The basis and methodology for these estimates is as follows:

State utilized data from the approved waiver application for WY5 (2021-2022) as a baseline for participant counts and expenditures for WY1 of renewal and inflated unit costs by CPI-M of 1.95% per year and increased participant counts by 1% per year based on professional judgement for the following services:

- Community Transition
- Environmental Adaptations
- Extermination of Bed Bugs
- Individual Supported Employment/Group Supported Employment
- Individualized Technical Assistance
- Occupational Therapy
- Physical Therapy
- Positive Behavior Support and Consultation
- Residential Habilitation – Contracted Supported Living
- Residential Habilitation – State-Operated Living Alternatives (SOLA)
- Risk Assessment
- Skilled Nursing
- Specialized Equipment and Supplies
- Speech, Hearing and Language Services
- Stabilization Services – Crisis Diversion Bed
- Stabilization Services – Specialized Habilitation
- Stabilization Services – Staff/Family Consultation
- Transportation

One example from accepted CMS 372 reports demonstrate the validity of the 1% participant growth rate for services. While the unduplicated participant count decreased 4.8% from 2015-2016 to 2018-2019, skilled nursing participant count increased 5.7% over the same period.

State estimated counts and expenditures for the following service utilizing professional judgement and using the CPI-M of 1.19% per year to inflate unit costs and increased participant counts by 1% per year:

- Staff/Family Consultation

State estimated counts and expenditures for the following new services utilizing professional judgement and using the CPI-M of 1.95% per year to inflate unit costs and increased participant counts by 1% per year using professional judgement:

- Assistive Technology
- Specialized Evaluation and Consultation

The increase of the availability of Individualized Technical Assistance service from 3 to 6 months will not impact expected utilization and costs for this service but rather the efficiency of Case/Resource Managers authorizing this service in one step rather than in two separate authorizations for two three-month periods.

The addition of medical transport agencies to the Transportation services will not significantly impact expected utilization and costs for this service but will provide access to a small group of participants unable to utilize this service previously.

The addition of parenting skills to Staff/Family Consultation Services will not significantly impact utilization and costs for this service due to the predicted small number of participants who will avail themselves of this service.

The removal of prior approvals for purchases under \$550 for Specialized Equipment and Supplies and Assistive Technology will not impact the expected utilization and costs for these services but will improve efficiency for Case/Resource Managers who authorize these services.

The addition of Damage Repairs to Environmental Adaptations should make no significant impact on utilization or costs associated with this service due to the expected small number of participants who will avail themselves of this service.

(CPI-M for WY2-WY5 is based on the August 2020-August 2021 percentage increase of 1.95% - Source: U.S. Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers: Medical Care, retrieved from FRED, Federal Reserve Bank of St. Louis; <http://fred.stlouisfed.org/series/CPIMEDSL>, September 2021).

Amendment effective 3-1-2023: Revised ISE/GSE participant count based on current participant count for WY1 with increases based on modest annual increases of older workers to Community Protection based on data from 2017-2022 for older workers. DDA partnered with the DSHS Research and Data Analysis Division to develop the rate study which was completed 10-1-2022. Average cost per unit of service and average units per user were products of this rate study. Data from 13 Individual Supported Employment providers who delivered 243,026 hours of services across 15 counties in the July 2021 to February 2022 reporting period were employed supplemented by Bureau of Labor Statistics wage survey and Consumer Price Index data. Average cost per unit

for ISE/GSE has been corrected for WY1 (to pre-rate study rates). Units of service for ISE/GSE are changed from “each” to “hour” for WYs 2-5.

- ii. **Factor D' Derivation.** The estimates of Factor D' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

State derived regression formula $Y = 223X + 6833$ from actual Factor D' from State's accepted CMS 372 reports of waiver years 2015-2016 through 2018-2019 (\$7,869, \$5,744, \$8,133 & \$7,816) to project Factor D' for WY1 of \$8,394. State inflated WY2-WY5 by CPI-M of 1.95% to project WY2 of \$8,558, WY3 of \$8,725, WY4 of \$8,895 & WY5 of \$9,068.

(CPI-M for WY2-WY5 is based on the August 2020-August 2021 percentage increase of 1.95% - Source: U.S. Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers: Medical Care, retrieved from FRED, Federal Reserve Bank of St. Louis; <http://fred.stlouisfed.org/series/CPIMEDSL>, September 2021).

- iii. **Factor G Derivation.** The estimates of Factor G for each waiver year are included in Item J-1. The basis of these estimates is as follows:

State derived regression formula $Y = 29499.3X + 163590.5$ from actual Factor G from State's MMIS of waiver years 2015-2016 through 2018-2019 (\$201,139, \$219,347, \$234,425 & \$294,444) to project Factor G for WY1 of \$370,086. State inflated WY2-WY5 by CPI-M of 1.95% to project WY2 of \$377,303, WY3 of \$384,660, WY4 of \$392,161 & WY5 of \$399,808.

(CPI-M for WY2-WY5 is based on the August 2020-August 2021 percentage increase of 1.95% - Source: U.S. Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers: Medical Care, retrieved from FRED, Federal Reserve Bank of St. Louis; <http://fred.stlouisfed.org/series/CPIMEDSL>, September 2021).

- iv. **Factor G' Derivation.** The estimates of Factor G' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

State derived regression formula $Y = 392X + 1753$ from actual Factor G' from State's MMIS of waiver years 2015-2016 through 2018-2019 (\$1,917, \$2,548, \$3,591 & \$2,876) to project Factor G' for WY1 of \$4,497. State inflated WY2-WY5 by CPI-M of 1.95% to project WY2 of \$4,585, WY3 of \$4,674, WY4 of \$4,765 & WY5 of \$4,858.

(CPI-M for WY2-WY5 is based on the August 2020-August 2021 percentage increase of 1.95% - Source: U.S. Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers: Medical Care, retrieved from FRED, Federal Reserve Bank of St. Louis; <http://fred.stlouisfed.org/series/CPIMEDSL>, September 2021).

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (4 of 9)

Component management for waiver services. If the service(s) below includes two or more discrete services that are reimbursed separately, or is a bundled service, each component of the service must be listed. Select “manage components” to add these components.

| Waiver Services | |
|--|--|
| Individual Supported Employment/Group Supported Employment | |
| Residential Habilitation | |
| Occupational Therapy | |
| Physical Therapy | |
| Speech, Hearing, and Language Services | |
| Assistive Technology | |
| Community Transition | |
| Environmental Adaptations | |

| Waiver Services | |
|--|--|
| Extermination of Bed Bugs | |
| Individualized Technical Assistance | |
| Positive Behavior Support and Consultation | |
| Risk Assessment | |
| Skilled Nursing | |
| Specialized Equipment and Supplies | |
| Specialized Evaluation and Consultation | |
| Stabilization Services - Crisis Diversion Bed | |
| Stabilization Services- Specialized Habilitation | |
| Stabilization Services- Staff/Family Consultation Services | |
| Staff/Family Consultation Services | |
| Transportation | |

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (5 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 1

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Individual Supported Employment/Group Supported Employment Total: | | | | | | 2522062.40 |
| Individual Supported Employment/Group Supported Employment | Each | 260 | 151.00 | 64.24 | 2522062.40 | |
| Residential Habilitation Total: | | | | | | 65656776.70 |
| Contracted Supported Living | Day | 381 | 365.00 | 466.26 | 64840446.90 | |
| State-Operated Living Alternatives (SOLA) | Day | 4 | 365.00 | 559.13 | 816329.80 | |
| Occupational Therapy Total: | | | | | | 2141.28 |
| Occupational Therapy | Each | 1 | 12.00 | 178.44 | 2141.28 | |
| Physical Therapy Total: | | | | | | 4319.20 |
| Physical Therapy | Each | 2 | 20.00 | 107.98 | 4319.20 | |
| GRAND TOTAL: | | | | | | 71448592.72 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 141763.08 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Speech, Hearing, and Language Services Total: | | | | | | 1667.88 |
| Speech, Hearing, and Language Services | Hour | 2 | 9.00 | 92.66 | 1667.88 | |
| Assistive Technology Total: | | | | | | 38475.00 |
| Assistive Technology | Each | 50 | 1.00 | 769.50 | 38475.00 | |
| Community Transition Total: | | | | | | 16398.58 |
| Community Transition | Each | 11 | 1.00 | 1490.78 | 16398.58 | |
| Environmental Adaptations Total: | | | | | | 4121.69 |
| Environmental Adaptations | Each | 1 | 1.00 | 4121.69 | 4121.69 | |
| Extermination of Bed Bugs Total: | | | | | | 77083.44 |
| Extermination of Bed Bugs | Each | 12 | 2.00 | 3211.81 | 77083.44 | |
| Individualized Technical Assistance Total: | | | | | | 4914.36 |
| Individualized Technical Assistance | Each | 2 | 38.25 | 64.24 | 4914.36 | |
| Positive Behavior Support and Consultation Total: | | | | | | 1304232.00 |
| Positive Behavior Support and Consultation | Hour | 400 | 31.00 | 105.18 | 1304232.00 | |
| Risk Assessment Total: | | | | | | 62909.76 |
| Risk Assessment | Each | 38 | 1.00 | 1655.52 | 62909.76 | |
| Skilled Nursing Total: | | | | | | 53579.62 |
| Skilled Nursing | Hour | 38 | 41.00 | 34.39 | 53579.62 | |
| Specialized Equipment and Supplies Total: | | | | | | 33.41 |
| Specialized Equipment and Supplies | Each | 1 | 1.00 | 33.41 | 33.41 | |
| Specialized Evaluation and Consultation Total: | | | | | | 1043385.60 |
| Specialized Evaluation and Consultation | Hour | 320 | 31.00 | 105.18 | 1043385.60 | |
| GRAND TOTAL: | | | | | | 71448592.72 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 141763.08 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Stabilization Services - Crisis Diversion Bed Total: | | | | | | 554035.50 |
| Crisis Diversion Bed-Privately Contracted | Day | 46 | 15.00 | 802.95 | 554035.50 | |
| Stabilization Services- Specialized Habilitation Total: | | | | | | 33293.70 |
| Stabilization Services- Specialized Habilitation | Hour | 33 | 15.00 | 67.26 | 33293.70 | |
| Stabilization Services- Staff/Family Consultation Services Total: | | | | | | 33293.70 |
| Stabilization Services- Staff/Family Consultation Services | Hour | 33 | 15.00 | 67.26 | 33293.70 | |
| Staff/Family Consultation Services Total: | | | | | | 33293.70 |
| Staff/Family Consultation Services | Hour | 33 | 15.00 | 67.26 | 33293.70 | |
| Transportation Total: | | | | | | 2575.20 |
| Transportation | Mile | 6 | 740.00 | 0.58 | 2575.20 | |
| GRAND TOTAL: | | | | | | 71448592.72 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 141763.08 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (6 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 2

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Individual Supported Employment/Group Supported Employment Total: | | | | | | 3882193.92 |
| GRAND TOTAL: | | | | | | 78038656.92 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 154838.60 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|--|
| Individual Supported Employment/Group Supported Employment | Hour | 222 | 184.00 | 95.04 | 3882193.92 | |
| Residential Habilitation Total: | | | | | | 72141874.05 |
| Contracted Supported Living | Day | 411 | 365.00 | 475.35 | 71309630.25 | |
| State-Operated Living Alternatives (SOLA) | Day | 4 | 365.00 | 570.03 | 832243.80 | |
| Occupational Therapy Total: | | | | | | 2183.04 |
| Occupational Therapy | Each | 1 | 12.00 | 181.92 | 2183.04 | |
| Physical Therapy Total: | | | | | | 4403.60 |
| Physical Therapy | Each | 2 | 20.00 | 110.09 | 4403.60 | |
| Speech, Hearing, and Language Services Total: | | | | | | 1700.46 |
| Speech, Hearing, and Language Services | Hour | 2 | 9.00 | 94.47 | 1700.46 | |
| Assistive Technology Total: | | | | | | 40010.01 |
| Assistive Technology | Each | 51 | 1.00 | 784.51 | 40010.01 | |
| Community Transition Total: | | | | | | 16718.35 |
| Community Transition | Each | 11 | 1.00 | 1519.85 | 16718.35 | |
| Environmental Adaptations Total: | | | | | | 4202.06 |
| Environmental Adaptations | Each | 1 | 1.00 | 4202.06 | 4202.06 | |
| Extermination of Bed Bugs Total: | | | | | | 78586.56 |
| Extermination of Bed Bugs | Each | 12 | 2.00 | 3274.44 | 78586.56 | |
| Individualized Technical Assistance Total: | | | | | | 5009.98 |
| Individualized Technical Assistance | Each | 2 | 38.25 | 65.49 | 5009.98 | |
| Positive Behavior Support and Consultation Total: | | | | | | 0.00 |
| Positive Behavior Support and Consultation | Hour | 0 | 31.00 | 105.18 | 0.00 | |
| GRAND TOTAL: Total Estimated Unduplicated Participants: Factor D (Divide total by number of participants): Average Length of Stay on the Waiver: | | | | | | 78038656.92 504 154838.60 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Risk Assessment Total: | | | | | | 64136.40 |
| Risk Assessment | Each | 38 | 1.00 | 1687.80 | 64136.40 | |
| Skilled Nursing Total: | | | | | | 54623.48 |
| Skilled Nursing | Hour | 38 | 41.00 | 35.06 | 54623.48 | |
| Specialized Equipment and Supplies Total: | | | | | | 34.06 |
| Specialized Equipment and Supplies | Each | 1 | 1.00 | 34.06 | 34.06 | |
| Specialized Evaluation and Consultation Total: | | | | | | 1073693.99 |
| Specialized Evaluation and Consultation | Hour | 323 | 31.00 | 107.23 | 1073693.99 | |
| Stabilization Services - Crisis Diversion Bed Total: | | | | | | 564840.90 |
| Crisis Diversion Bed-Privately Contracted | Day | 46 | 15.00 | 818.61 | 564840.90 | |
| Stabilization Services- Specialized Habilitation Total: | | | | | | 33942.15 |
| Stabilization Services- Specialized Habilitation | Hour | 33 | 15.00 | 68.57 | 33942.15 | |
| Stabilization Services- Staff/Family Consultation Services Total: | | | | | | 33942.15 |
| Stabilization Services- Staff/Family Consultation Services | Hour | 33 | 15.00 | 68.57 | 33942.15 | |
| Staff/Family Consultation Services Total: | | | | | | 33942.15 |
| Staff/Family Consultation Services | Hour | 33 | 15.00 | 68.57 | 33942.15 | |
| Transportation Total: | | | | | | 2619.60 |
| Transportation | Mile | 6 | 740.00 | 0.59 | 2619.60 | |
| GRAND TOTAL: | | | | | | 78038656.92 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 154838.60 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (7 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 3

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Individual Supported Employment/Group Supported Employment Total: | | | | | | 4161342.79 |
| Individual Supported Employment/Group Supported Employment | Hour | 223 | 187.00 | 99.79 | 4161342.79 | |
| Residential Habilitation Total: | | | | | | 74256293.50 |
| Contracted Supported Living | Day | 415 | 365.00 | 484.62 | 73407814.50 | |
| State-Operated Living Alternatives (SOLA) | Day | 4 | 365.00 | 581.15 | 848479.00 | |
| Occupational Therapy Total: | | | | | | 2225.64 |
| Occupational Therapy | Each | 1 | 12.00 | 185.47 | 2225.64 | |
| Physical Therapy Total: | | | | | | 4489.20 |
| Physical Therapy | Each | 2 | 20.00 | 112.23 | 4489.20 | |
| Speech, Hearing, and Language Services Total: | | | | | | 1733.58 |
| Speech, Hearing, and Language Services | Hour | 2 | 9.00 | 96.31 | 1733.58 | |
| Assistive Technology Total: | | | | | | 40789.80 |
| Assistive Technology | Each | 51 | 1.00 | 799.80 | 40789.80 | |
| Community Transition Total: | | | | | | 17044.39 |
| Community Transition | Each | 11 | 1.00 | 1549.49 | 17044.39 | |
| Environmental Adaptations Total: | | | | | | 4284.00 |
| Environmental Adaptations | Each | 1 | 1.00 | 4284.00 | 4284.00 | |
| Extermination of Bed Bugs Total: | | | | | | 80118.96 |
| Extermination of | | | | | 80118.96 | |
| GRAND TOTAL: | | | | | | 80500506.52 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 159723.23 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|-------------|
| Bed Bugs | Each | 12 | 2.00 | 3338.29 | | |
| Individualized Technical Assistance Total: | | | | | | 5107.90 |
| Individualized Technical Assistance | Each | 2 | 38.25 | 66.77 | 5107.90 | |
| Positive Behavior Support and Consultation Total: | | | | | | 0.00 |
| Positive Behavior Support and Consultation | Hour | 0 | 31.00 | 105.18 | 0.00 | |
| Risk Assessment Total: | | | | | | 67107.69 |
| Risk Assessment | Each | 39 | 1.00 | 1720.71 | 67107.69 | |
| Skilled Nursing Total: | | | | | | 57148.26 |
| Skilled Nursing | Hour | 39 | 41.00 | 35.74 | 57148.26 | |
| Specialized Equipment and Supplies Total: | | | | | | 34.73 |
| Specialized Equipment and Supplies | Each | 1 | 1.00 | 34.73 | 34.73 | |
| Specialized Evaluation and Consultation Total: | | | | | | 1104787.92 |
| Specialized Evaluation and Consultation | Hour | 326 | 31.00 | 109.32 | 1104787.92 | |
| Stabilization Services - Crisis Diversion Bed Total: | | | | | | 588371.85 |
| Crisis Diversion Bed-Privately Contracted | Day | 47 | 15.00 | 834.57 | 588371.85 | |
| Stabilization Services- Specialized Habilitation Total: | | | | | | 35654.10 |
| Stabilization Services- Specialized Habilitation | Hour | 34 | 15.00 | 69.91 | 35654.10 | |
| Stabilization Services- Staff/Family Consultation Services Total: | | | | | | 35654.10 |
| Stabilization Services- Staff/Family Consultation Services | Hour | 34 | 15.00 | 69.91 | 35654.10 | |
| Staff/Family Consultation Services | | | | | | 35654.10 |
| GRAND TOTAL: | | | | | | 80500506.52 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 159723.23 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|--|
| Total: | | | | | | |
| Staff/Family Consultation Services | Hour | 34 | 15.00 | 69.91 | 35654.10 | |
| Transportation Total: | | | | | | 2664.00 |
| Transportation | Mile | 6 | 740.00 | 0.60 | 2664.00 | |
| GRAND TOTAL: Total Estimated Unduplicated Participants: Factor D (Divide total by number of participants): Average Length of Stay on the Waiver: | | | | | | 80500506.52 504 159723.23 349 |

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (8 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 4

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|--|
| Individual Supported Employment/Group Supported Employment Total: | | | | | | 4393845.00 |
| Individual Supported Employment/Group Supported Employment | Hour | 225 | 190.00 | 102.78 | 4393845.00 | |
| Residential Habilitation Total: | | | | | | 76425616.25 |
| Contracted Supported Living | Day | 419 | 365.00 | 494.07 | 75560595.45 | |
| State-Operated Living Alternatives (SOLA) | Day | 4 | 365.00 | 592.48 | 865020.80 | |
| Occupational Therapy Total: | | | | | | 2268.96 |
| Occupational Therapy | Each | 1 | 12.00 | 189.08 | 2268.96 | |
| Physical Therapy Total: | | | | | | 4576.80 |
| Physical Therapy | Each | 2 | 20.00 | 114.42 | 4576.80 | |
| Speech, Hearing, and Language Services | | | | | | 1767.42 |
| GRAND TOTAL: Total Estimated Unduplicated Participants: Factor D (Divide total by number of participants): Average Length of Stay on the Waiver: | | | | | | 82957554.88 504 164598.32 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|------------|
| Total: | | | | | | |
| Speech, Hearing, and Language Services | Hour | 2 | 9.00 | 98.19 | 1767.42 | |
| Assistive Technology Total: | | | | | | 42400.80 |
| Assistive Technology | Each | 52 | 1.00 | 815.40 | 42400.80 | |
| Community Transition Total: | | | | | | 17376.70 |
| Community Transition | Each | 11 | 1.00 | 1579.70 | 17376.70 | |
| Environmental Adaptations Total: | | | | | | 4367.54 |
| Environmental Adaptations | Each | 1 | 1.00 | 4367.54 | 4367.54 | |
| Extermination of Bed Bugs Total: | | | | | | 81681.36 |
| Extermination of Bed Bugs | Each | 12 | 2.00 | 3403.39 | 81681.36 | |
| Individualized Technical Assistance Total: | | | | | | 5207.35 |
| Individualized Technical Assistance | Each | 2 | 38.25 | 68.07 | 5207.36 | |
| Positive Behavior Support and Consultation Total: | | | | | | 0.00 |
| Positive Behavior Support and Consultation | Hour | 0 | 31.00 | 105.18 | 0.00 | |
| Risk Assessment Total: | | | | | | 68416.53 |
| Risk Assessment | Each | 39 | 1.00 | 1754.27 | 68416.53 | |
| Skilled Nursing Total: | | | | | | 58267.56 |
| Skilled Nursing | Hour | 39 | 41.00 | 36.44 | 58267.56 | |
| Specialized Equipment and Supplies Total: | | | | | | 35.40 |
| Specialized Equipment and Supplies | Each | 1 | 1.00 | 35.40 | 35.40 | |
| Specialized Evaluation and Consultation Total: | | | | | | 1140133.50 |
| Specialized Evaluation and Consultation | Hour | 330 | 31.00 | 111.45 | 1140133.50 | |
| Stabilization Services - Crisis Diversion Bed | | | | | | 599842.20 |
| GRAND TOTAL: | | | | | | 8295754.88 |
| Total Estimated Unduplicated Participants: | | | | | | 504 |
| Factor D (Divide total by number of participants): | | | | | | 164598.32 |
| Average Length of Stay on the Waiver: | | | | | | 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|--|
| Total: | | | | | | |
| Crisis Diversion Bed-Privately Contracted | Day | 47 | 15.00 | 850.84 | 599842.20 | |
| Stabilization Services- Specialized Habilitation Total: | | | | | | 36347.70 |
| Stabilization Services- Specialized Habilitation | Hour | 34 | 15.00 | 71.27 | 36347.70 | |
| Stabilization Services- Staff/Family Consultation Services Total: | | | | | | 36347.70 |
| Stabilization Services- Staff/Family Consultation Services | Hour | 34 | 15.00 | 71.27 | 36347.70 | |
| Staff/Family Consultation Services Total: | | | | | | 36347.70 |
| Staff/Family Consultation Services | Hour | 34 | 15.00 | 71.27 | 36347.70 | |
| Transportation Total: | | | | | | 2708.40 |
| Transportation | Mile | 6 | 740.00 | 0.61 | 2708.40 | |
| GRAND TOTAL: Total Estimated Unduplicated Participants: Factor D (Divide total by number of participants): Average Length of Stay on the Waiver: | | | | | | 82957554.88 504 164598.32 349 |

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (9 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 5

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|--|
| Individual Supported Employment/Group Supported Employment Total: | | | | | | 4569552.76 |
| Individual Supported | Hour | 226 | 191.00 | 105.86 | 4569552.76 | |
| GRAND TOTAL: Total Estimated Unduplicated Participants: Factor D (Divide total by number of participants): Average Length of Stay on the Waiver: | | | | | | 85612383.80 504 169865.84 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|--|
| Employment/Group Supported Employment | | | | | | |
| Residential Habilitation Total: | | | | | | 78836043.40 |
| Contracted Supported Living | Day | 424 | 365.00 | 503.71 | 77954159.60 | |
| State-Operated Living Alternatives (SOLA) | Day | 4 | 365.00 | 604.03 | 881883.80 | |
| Occupational Therapy Total: | | | | | | 2313.24 |
| Occupational Therapy | Each | 1 | 12.00 | 192.77 | 2313.24 | |
| Physical Therapy Total: | | | | | | 4666.00 |
| Physical Therapy | Each | 2 | 20.00 | 116.65 | 4666.00 | |
| Speech, Hearing, and Language Services Total: | | | | | | 1801.80 |
| Speech, Hearing, and Language Services | Hour | 2 | 9.00 | 100.10 | 1801.80 | |
| Assistive Technology Total: | | | | | | 43227.60 |
| Assistive Technology | Each | 52 | 1.00 | 831.30 | 43227.60 | |
| Community Transition Total: | | | | | | 17715.61 |
| Community Transition | Each | 11 | 1.00 | 1610.51 | 17715.61 | |
| Environmental Adaptations Total: | | | | | | 4452.71 |
| Environmental Adaptations | Each | 1 | 1.00 | 4452.71 | 4452.71 | |
| Extermination of Bed Bugs Total: | | | | | | 83274.00 |
| Extermination of Bed Bugs | Each | 12 | 2.00 | 3469.75 | 83274.00 | |
| Individualized Technical Assistance Total: | | | | | | 5309.10 |
| Individualized Technical Assistance | Each | 2 | 38.25 | 69.40 | 5309.10 | |
| Positive Behavior Support and Consultation Total: | | | | | | 0.00 |
| Positive Behavior Support and Consultation | Hour | 0 | 31.00 | 105.18 | 0.00 | |
| Risk Assessment Total: | | | | | | 71539.20 |
| GRAND TOTAL: Total Estimated Unduplicated Participants: Factor D (Divide total by number of participants): Average Length of Stay on the Waiver: | | | | | | 85612383.80 504 169865.84 349 |

| Waiver Service/ Component | Unit | # Users | Avg. Units Per User | Avg. Cost/ Unit | Component Cost | Total Cost |
|--|------|---------|---------------------|-----------------|-------------------|------------|
| Risk Assessment | Each | 40 | 1.00 | 1788.48 | 71539.20 | |
| Skilled Nursing Total: | | | | | | 60926.00 |
| Skilled Nursing | Hour | 40 | 41.00 | 37.15 | 60926.00 | |
| Specialized Equipment and Supplies Total: | | | | | | 36.09 |
| Specialized Equipment and Supplies | Each | 1 | 1.00 | 36.09 | 36.09 | |
| Specialized Evaluation and Consultation Total: | | | | | | 1173002.49 |
| Specialized Evaluation and Consultation | Hour | 333 | 31.00 | 113.63 | 1173002.49 | |
| Stabilization Services - Crisis Diversion Bed Total: | | | | | | 624556.80 |
| Crisis Diversion Bed-Privately Contracted | Day | 48 | 15.00 | 867.44 | 624556.80 | |
| Stabilization Services- Specialized Habilitation Total: | | | | | | 37056.60 |
| Stabilization Services- Specialized Habilitation | Hour | 34 | 15.00 | 72.66 | 37056.60 | |
| Stabilization Services- Staff/Family Consultation Services Total: | | | | | | 37056.60 |
| Stabilization Services- Staff/Family Consultation Services | Hour | 34 | 15.00 | 72.66 | 37056.60 | |
| Staff/Family Consultation Services Total: | | | | | | 37056.60 |
| Staff/Family Consultation Services | Hour | 34 | 15.00 | 72.66 | 37056.60 | |
| Transportation Total: | | | | | | 2797.20 |
| Transportation | Mile | 6 | 740.00 | 0.63 | 2797.20 | |
| GRAND TOTAL: | | | | | 85612383.80 | |
| Total Estimated Unduplicated Participants: | | | | | 504 | |
| Factor D (Divide total by number of participants): | | | | | 169865.84 | |
| Average Length of Stay on the Waiver: | | | | | | 349 |