



FEB 23 2010

Indian Policy

STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

February 19, 2010

Dear Tribal Leader:

The Communications Protocol and the American Recovery and Reinvestment Act of 2009, Public Law 111-5, section 5006 provide States the opportunity to request your advice prior to submission of any waiver requests likely to have a direct effect on Indians, Indian Health Programs, or Urban Indian Organizations.

The Department of Social and Health Services, Aging and Disabilities Services Administration (ADSA) intends to submit an amendment request for the Home and Community Based Services waiver entitled the Basic Plus Waiver. This waiver submission is due March 31, 2010.

ADSA is interested in feedback and input from *Tribe's Name* regarding this waiver. We would like to receive your comments by March 19, 2010. Please contact Kris Pederson by phone, email, or letter to provide feedback.

Kris Pederson, Waiver Program Manager  
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Olympia, WA 98504-5310  
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The Basic Plus Waiver provides personal care services in a boarding home or adult family home or the individual's home, as well as a variety of other services, including respite, day program/supported employment, skilled nursing, transportation, specialized medical equipment and supplies, environmental accessibility adaptations, physical therapy, occupational therapy, speech and language therapies, behavior management, staff/family consultation and training, community guide, specialized psychiatric services, and mental health stabilization services. Participants must meet both financial and functional eligibility requirements in order to receive services under the waiver.

The Basic Plus Waiver has been operating since 2004 and is available statewide. The waiver is authorized to serve up to 2,523 individuals for waiver year 2009-2010, 2,437 individuals for

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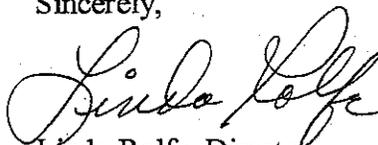
waiver year 2010-2011 and 2,354 individuals for waiver year 2011-2012. The amendment request will increase the number of participants served to 2,633 individuals for waiver year 2009-2010, 2,681 individuals for waiver year 2010-2011, and 2,702 individuals for waiver year 2011-2012, allowing the state to provide waiver services to more people.

The Center for Medicare and Medicaid Services (CMS) reference number for this waiver is 0409. Information on the approved waiver can be viewed on the CMS web site through the following address:

<http://www.cms.hhs.gov/MedicaidStWaivProgDemoPGI/MWDL/list.asp>.

Please see the enclosed DDD Waiver Plan Fact Sheet for more information about the DDD waiver program, including Basic Plus Waiver services and eligibility.

Sincerely,



Linda Rolfe, Director  
Division of Developmental Disabilities

Enclosure

cc: Colleen F. Cawston, DSHS OIP  
Doug Washburn  
Kris Pederson  
Dave Langenes

**Fact Sheet:**

# Division of Developmental Disabilities Waiver Plan

<p>This Fact Sheet provides an overview of the Division of Developmental Disabilities' CMS Waivers</p>	<p><b>Five Home and Community Based (HCBS) Waivers</b> The Department offers services under five targeted waivers – <i>Basic, Basic Plus, Children's Intensive In-home Behavioral Support, Core, and Community Protection</i> - each with specific limits on benefits, services and enrollees. An individual may request to be enrolled on a waiver or to be enrolled in a different waiver at any time. Waiver enrollment is based upon funding and capacity.</p>
	<p><b>Waiver Eligibility</b></p> <ul style="list-style-type: none"> <li>• The individual is a client of the Division of Developmental Disabilities (DDD).</li> <li>• The individual has a disability according to criteria established in the Social Security Act.</li> <li>• The individual must have countable income that does not exceed 300 percent of the SSI federal benefit standard and countable resources that do not exceed \$2,000 or be in the HWD program. In the case of a child, the parents' income and resources are not considered when determining the child's eligibility for the waiver.</li> <li>• The individual needs the level of care provided in an Intermediate Care Facility for the Mentally Retarded (ICF/MR).</li> <li>• A DDD Assessment and Individual Support Plan have been completed and show how the individual's health, safety, and habilitation needs will be met in the community.</li> <li>• The individual has agreed to accept home and community based services as an alternative to institutional services.</li> </ul> <p>For the CIIBS Waiver only:</p> <ul style="list-style-type: none"> <li>• The individual is age eight or older and under the age of eighteen for initial enrollment and under age twenty-one for continued enrollment.</li> <li>• The individual is assessed at high or severe risk of out of home placement due to challenging behavior prior to enrollment.</li> <li>• The individual lives with her/his family.</li> </ul>
<p><b>Basic Waiver Targeting Criteria</b></p>	<ul style="list-style-type: none"> <li>• Individuals on this waiver live with family or in their own homes.</li> <li>• The family/caregiver's ability to continue caring for the individual is at risk, but can be continued with the addition of services provided in the Basic Waiver.</li> <li>• The individual does not need out-of-home residential services.</li> </ul>

**FOR MORE INFORMATION, CONTACT:**

**Kris Pederson, Program Manager, (360) 725-3445 or  
Dave Langenes, Program Manager, (360) 725-3456  
Division of Developmental Disabilities  
Aging and Disability Services Administration**

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<b>Basic Plus Waiver Targeting Criteria</b>	<ul style="list-style-type: none"> <li>• Individuals on this waiver require a higher level of services than those on the Basic Waiver and/or they require a service that is not contained in the Basic Waiver, and</li> <li>• The individuals live with family or in another setting with assistance and are at <u>high</u> risk of out-of-home placement or loss of their current living situation, or</li> <li>• They require out-of-home placement and their health and welfare needs can be met in an adult family home or an adult residential care facility.</li> </ul>
<b>Children's Intensive In-home Behavioral Support Waiver Targeting Criteria</b>	<ul style="list-style-type: none"> <li>• Individuals on this waiver are 8 through 20 years of age;</li> <li>• They live with their family;</li> <li>• They are assessed at high or severe risk of out of home placement due to challenging behavior at enrollment; and</li> <li>• Their family has agreed to participate in the program model.</li> </ul>
<b>Core Waiver Targeting Criteria</b>	<ul style="list-style-type: none"> <li>• Individuals on this waiver are at <u>immediate</u> risk of out-of-home placement; and/or</li> <li>• Have an identified health and welfare need for residential services that cannot be met by the Basic Plus Waiver.</li> </ul>
<b>Community Protection Waiver Targeting Criteria</b>	<ul style="list-style-type: none"> <li>• Individuals on this waiver meet the DDD criteria for "community protection."</li> <li>• They require 24-hour, on-site staff supervision to ensure the safety of others.</li> <li>• They require therapies and/or other habilitation services.</li> <li>• The individuals agree to receive services from a certified Community Protection Residential Services provider.</li> </ul>

### Waiver Services and Yearly Limits

	Services	Yearly Limit
<b>Basic Waiver</b>	Aggregate Services: <ul style="list-style-type: none"> <li>• Behavior Management and Consultation</li> <li>• Community Guide</li> <li>• Environmental-Accessibility Adaptations</li> <li>• Occupational Therapy</li> <li>• Physical Therapy</li> <li>• Specialized Medical Equipment/Supplies</li> <li>• Specialized Psychiatric Services</li> <li>• Speech, Hearing and Language Services</li> <li>• Staff/Family Consultation &amp; Training</li> <li>• Transportation</li> </ul>	\$1,454 per year on any combination of these services

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	<b>Employment/Day Program Services:</b> <ul style="list-style-type: none"> <li>• Person to Person</li> <li>• Supported Employment</li> <li>• Community Access</li> <li>• Pre-vocational Services</li> </ul>	May not exceed \$6,804 per year
	Sexual Deviancy Evaluation	Limits are determined by DDD
	Personal Care	Limits determined by the CARE tool as a part of the DDD assessment
	Respite Care	Limits determined by the DDD assessment
	Emergency Assistance	\$6,000 per year (pre-authorization required)
	<u>Mental Health Stabilization Services:</u> <ul style="list-style-type: none"> <li>• Behavior Management and Consultation</li> <li>• Mental Health Crisis Diversion Bed Services</li> <li>• Specialized Psychiatric Services</li> <li>• Skilled Nursing</li> </ul>	Limits determined by a Mental Health professional or DDD

	<b>Services</b>	<b>Yearly Limit</b>
<b>Basic Plus Waiver</b>	Skilled Nursing and all of the services in the Aggregate Services package for Basic Waiver	\$6,192 per year on any combination of these services
	<b>Employment/Day Program Services:</b> <ul style="list-style-type: none"> <li>• Person to Person</li> <li>• Supported Employment</li> <li>• Community Access</li> <li>• Pre-vocational Services</li> </ul>	May not exceed \$9,944 per year. In some situations, this limit may be increased to a maximum of \$19,888 based on assessed client need and only with prior authorization.
	Sexual Deviancy Evaluation	Limits are determined by DDD
	Personal Care	Limits determined by the DDD assessment
	Respite Care	Limits determined by the DDD assessment
	Adult Family Home Adult Residential Care (Boarding Home)	Determined per department rate structure
	Emergency Assistance	\$6,000, per year (pre-authorization required)
	<u>Mental Health Stabilization Services:</u> <ul style="list-style-type: none"> <li>• Behavior Management and Consultation</li> <li>• Mental Health Crisis Diversion Bed Services</li> <li>• Specialized Psychiatric Services</li> <li>• Skilled Nursing</li> </ul>	Limits determined by a Mental Health professional or DDD

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	<b>Services</b>	<b>Yearly Limit</b>
<b>Children's Intensive In-home Behavioral Support</b>	<p>All individuals will receive:</p> <ul style="list-style-type: none"> <li>• Behavior Management and Consultation, and</li> <li>• Staff/Family Training and Consultation Services.</li> </ul> <p>Additional services include:</p> <ul style="list-style-type: none"> <li>• Assistive Technology,</li> <li>• Specialized Nutrition,</li> <li>• Specialized Clothing,</li> <li>• Therapeutic Equipment and Supplies,</li> <li>• Vehicle Modification, and</li> <li>• All of the services in the Aggregate Services package for Basic Waiver, with the exception of Community Guide..</li> </ul> <p>*Note: Some definitions differ in this waiver.</p>	Total average cost of service, including personal care and respite, is \$4000 per month per client.

<b>Children's Intensive In-home Behavioral Support (cont'd)</b>	Respite Care	Limits determined by the DDD assessment; service costs included in the \$4000/mo average
	Personal Care	Limits determined by the DDD assessment; service costs included in the \$4000/mo average
	Sexual Deviancy Evaluation	Limits are determined by DDD

	<b>Services</b>	<b>Yearly Limit</b>
<b>Core Waiver</b>	<p>Residential Habilitation, Community Transition and all of the Basic Plus services except:</p> <ul style="list-style-type: none"> <li>• Emergency Assistance;</li> <li>• Adult Family Home; and</li> <li>• Adult Residential Care services</li> </ul>	<p>Limited to the average cost of an ICF/MR for any combination of services necessary to meet assessed client need.</p> <p>Limits for Respite and Personal Care Services are determined by the DDD Assessment.</p> <p>Limits for Mental Health Stabilization Services are determined by a Mental Health professional or DDD.</p>

	<b>Services</b>	<b>Yearly Limit</b>
<b>Community Protection Waiver</b>	<p>All Core services except:</p> <ul style="list-style-type: none"> <li>• Personal Care,</li> <li>• Respite,</li> <li>• Community Guide, and</li> <li>• Community Access.</li> </ul>	<p>Limited to the average cost of an ICF/MR for any combination of services necessary to meet assessed client need.</p> <p>Residential services are offered only in Community</p>

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	*Note: Some definitions differ in this waiver.	Protection Certified Residential Services Provider. Clients must agree to their Community Protection Individual Support Plan.
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Visit the DDD Internet website at <http://www.dshs.wa.gov/ddd/index.shtml>

