

Guidance for Administrative Entities and Supports Coordination Organizations on Discussing Resources and Programs Available Outside of the Office of Developmental Programs

ODP Announcement 22-008

AUDIENCE:

Administrative Entities (AEs)

ID/A Supports Coordination Organizations (SCOs)

PURPOSE:

To provide guidance to AEs and SCOs on connecting individuals and families with resources and programs available outside of the Office of Developmental Programs (ODP).

DISCUSSION:

Pennsylvania's Department of Human Services (DHS) offers an array of resources outside of ODP that support the important role of the family as well as enhance the individual's quality of life throughout the lifespan. It is the responsibility of the AEs and SCOs to review supports and services available under a variety of funding options such as County programs, Targeted Supports Management (TSM), Office of Long-Term Living (OLTL), Medical Assistance (MA), Early and Periodic Screening, Diagnostic and Treatment (EPSDT), , the Office of Mental Health and Substance Abuse Services (OMHSAS) and

public education. Individualized supports based on the needs of the individual and family should be the overarching goal.

The following is a brief overview of frequently utilized services as well as important things to remember in providing supports to individuals and families.

PLANNING FOR EPSDT AGE-OUTS

How is waiver capacity reserved for EPSDT Age-outs in the Consolidated Waiver?

- AEs work in conjunction with SCOs to anticipate and prioritize the needs of individuals/participants who are expected to require waiver services within the year due to:
 - Aging out of services received from the EPSDT benefit through MA,
 - Discharge from a Residential Treatment Facility,
 - Release from prison,
 - Discharge from a state hospital, or
 - Transition of a child (under age 21) with medical needs from an extended hospital stay or from a facility licensed under 55 Pa. Code Chapter 3800, 6400 or 6600 that does not meet waiver Home and Community-Based Service requirements.

Note: Often families do not know their family member is receiving EPSDT. They may consider it an insurance/MA benefit(s).

ODP requires AEs to reserve existing Consolidated Waiver capacity for individuals/participants who require future services due to the criteria above.

Capacity may be reserved for up to 120 days prior to the expected need for services. This allows the AEs and SCOs to plan accordingly prior to the transition and avoid a possible crisis/emergency situation. All participants enrolled in the Consolidated Waiver have comparable access to all services offered in the Waiver regardless of whether they are enrolled due to meeting reserved capacity criteria or the criteria for emergency status in the Prioritization of Urgency of Need for Services (PUNS) form or its successor. This is evidenced by the service plan process that is required for all participants and requires that service options be promoted and fully explored with every individual.

ODP expects AEs to plan accordingly to enroll individuals into an ODP waiver as they transition out of EPSDT. This applies when ODP is identified as the lead DHS program office through the Department’s Resource Facilitation Team (RFT) process.

- The RFT is a DHS joint effort of multiple program offices including ODP, Office of Medical Assistance Programs (OMAP) Bureau of Managed Care (Special Needs Unit), OLTL, and the Office of Children, Youth and Families. The RFT’s goal is to transition medically fragile children and youth into adult services when they age-out of EPSDT prior to their 21st birthday. The RFT is the determining body for which program office would best meet the individual's needs and the lead program office responsible for coordination.
 - When ODP is identified as the lead program office, the ODP EPSDT Virtual Team will be engaged to assist with an individual’s transition which can begin when the individual reaches age 18.
 - The ODP EPSDT Virtual Team consists of the following:
 - ✓ Central Office EPSDT Lead
 - ✓ Regional EPSDT Lead

- ✓ AE Identified Lead(s)
- ✓ SCO Identified Lead(s)
- If the individual and their team determines that another program (i.e., Community HealthChoices (CHC)) would better meet the individual's needs, the Virtual Team should be notified of this change and reasoning. **The SC should document the decision in a service note.**

ENROLLING AN INDIVIDUAL IN THE COMMUNITY LIVING OR PERSON/FAMILY DIRECTED SUPPORT (P/FDS) WAIVERS TO MEET HEALTH AND WELFARE NEEDS

- If the individual chooses a capped Waiver (Community Living or P/FDS), will they remain on the waiting list if they have unmet needs?
 - YES, if the individual has unmet needs beyond what the Community Living or P/FDS waiver can provide, PUNS (or its successor) will be updated annually or sooner if the individual's needs change. This means that if the individual has unmet needs, they will remain on the Intellectual Disability/Autism (ID/A) waiting list.
 - Choosing to enroll in the Community Living or P/FDS waivers will not preclude the individual from being considered for enrollment into the Consolidated Waiver.

Referral to other programs

- *At no time should a referral to the PA Independent Enrollment Broker (PAIEB) for enrollment in the CHC Waiver or OBRA Waiver be required or in lieu of an already offered ODP waiver capacity.*

OLTL PROGRAMS

○ **Community HealthChoices**

- CHC is Pennsylvania's managed care program for dual-eligible (Medicare and Medical Assistance) individuals and individuals 21 years of age or older with physical disabilities who are Nursing Facility Clinically Eligible (NFCE).
- CHC has been developed to enhance access to and improve coordination of medical care, and create a person-centered, long-term support system in which people have choice, control, and access to a full array of home and community-based services that support independence, health, and quality of life.
- Long-term services and supports help eligible individuals to perform daily activities in their home such as bathing, dressing, preparing meals, and administering medications.
- Additional information can be found at:
<https://www.dhs.pa.gov/HealthChoices/HC-Services/Documents/Who%20is%20Served%20by%20CHC.pdf>

Can individuals receiving services from ODP be enrolled in CHC?

- Yes, when an individual is registered with ODP and enrolled in CHC, the only category of HCSIS enrollment type that can be concurrent with CHC is SC Services Only.
- Individuals enrolled in any CHC program cannot be enrolled in Base or an ODP waiver. They may continue to receive TSM or Base-Funded Supports Coordination.

- The three types of CHC enrollment categories are:

1. CHC NFI (Nursing Facility Ineligible)– Dual -

- ✓ Individuals must be age 21 or older
- ✓ Receiving Medicare and Medical Assistance (Dual-Eligible)
- ✓ NFI
- ✓ Physical Health care benefits only
- ✓ Individuals may continue to receive TSM or Base-funded Supports Coordination through ODP
- ✓ Individual may have an active PUNS to reflect any unmet needs

2. CHC LTC (Long Term Care)–

- ✓ Admitted to a nursing facility.
- ✓ The SC Services Only enrollment indicator will allow the individual to be enrolled in CHC LTC in a nursing facility.
- ✓ If an individual who is receiving any base-funded or waiver supports from ODP is admitted to a nursing facility, they must be disenrolled from base or waiver services and enrolled in SC Services Only.
- ✓ The individual may receive Base Funded Supports Coordination while in CHC LTC. The individual may receive TSM up to 180 days prior to transitioning to the community.
- ✓ The individual must be enrolled in CHC so their care can be coordinated and the CHC LTC can coordinate and pay for

any specialized services as result of a Preadmission Screening and Annual Resident Review (PASRR). More information regarding the (PASRR) can be found at the following links:

<https://www.dhs.pa.gov/providers/Providers/Pages/PASRR-Process.aspx> .

3. CHC HCBS (Waiver)

- ✓ Individuals must be age 21 or older,
- ✓ Receiving Medical Assistance, and
- ✓ Determined to meet nursing facility level of care (NFCE).
- ✓ The individual's PUNS status should be changed to fully served upon enrollment into CHC Waiver unless they continue to have unmet needs.
- ✓ The individual cannot receive TSM but can receive Base-Funded Supports Coordination.
 - i. Please note, individuals with an intellectual disability are afforded Supports Coordination services under the MH/ID Act of 1966. Therefore, the individual may choose to continue to receive Base-Funded Supports Coordination.
 - ii. Counties are urged to provide Base-Funded Supports Coordination to individuals with Autism.

What services are available through CHC?

- Please use the information available on the DHS website to access the services available through CHC.
 - ✓ Where to find information for CHC participants?
<https://www.dhs.pa.gov/HealthChoices/HC-Services/Pages/CHC-Communications-to-Participants.aspx>
 - ✓ Who is served by CHC and what services are available?
<https://www.dhs.pa.gov/HealthChoices/HC-Services/Documents/Who%20is%20Served%20by%20CHC.pdf>
- **CHC NFI Dual -**
 - i. Physical health services including but not limited to: Primary and acute care
 - ii. Prescription drugs
 - iii. Dental services
 - ✓ Behavioral health services available through a Behavioral HealthChoices managed care organization (BH-MCO)
- **CHC HCBS Waiver (LTSS)**
 - ✓ **Physical Health Services (described above for CHC NFI) and**
 - ✓ Home and Community-Based Services (i.e., Personal Assistance, Employment Services, Residential Habilitation)

The full list of available services is found using this link -
<https://www.dhs.pa.gov/HealthChoices/HC->

[Services/Documents/Who%20is%20Served%20by%20CHC.pdf](#)

- ✓ Behavioral health services available through a Behavioral HealthChoices managed care organization (BH-MCO)

- **CHC LTC (Nursing Facilities)**

- ✓ Behavioral health services available through a Behavioral HealthChoices managed care organization (BH-MCO)
- ✓ More services available at:
<https://www.dhs.pa.gov/HealthChoices/HC-Services/Documents/CHC%20Benefits%20Guide.pdf>

How is CHC HCBS Waiver different than the ODP waivers?

- CHC home and community-based waiver qualifications and services are related to physical disability and aging supports.
- Providers of ODP's Intellectual Disability/Autism (ID/A) waivers (Consolidated, Community Living & PFDS) services meet qualifications specific to delivering services and supports to individuals with an intellectual disability and/or autism.
 - ✓ The ODP waiver qualifications are not the same as the qualifications for providers in CHC HCBS Waiver.
- The CHC HCBS Waiver may or may not have the same providers as the ODP Waivers.
- Residential habilitation provided through CHC HCBS Waiver is typically provided in personal care homes.

- Some services available through ODP waivers are not available through the CHC HCBS Waiver.

OBRA Waiver

What is the OBRA Waiver?

- The OBRA Waiver is a Home and Community-Based Waiver program for individuals with a developmental physical disability.
 - ✓ More information can be found at:
<https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/OBRA.aspx>.
- **To be eligible for the OBRA Waiver, the individual must be:**
 - ✓ A resident of Pennsylvania
 - ✓ Age 18-59 (Individuals age 60 and older will be referred to the CHC Waiver)
 - ✓ Have a severe developmental physical disability requiring an Intermediate Care Facility/Other Related Conditions (ICF/ORC) level of care
 - ✓ The disability must result in substantial functional limitations in three or more of the following major life activities:
 - i. Self-care
 - ii. Communication
 - iii. Learning
 - iv. Mobility
 - v. Self-direction
 - vi. Capacity for independent living

- ✓ Meet the financial requirements as determined by the County Assistance Office.
- ✓ Other related conditions (ORCs) include physical, sensory, or neurological disabilities which manifested before age 22 and are likely to continue indefinitely.

How are OBRA Waiver different than ODP waiver?

- ✓ OBRA Waiver Provider Qualifications are not specific to individuals with an intellectual disability or autism
- ✓ Service array is different.
- ✓ Due to the small number of participants statewide, the OBRA Waiver provider network is limited.

PUNS/WAITING LIST

How is someone's status on the waiting list impacted if they are enrolled in the CHC HCBS Waiver?

- If the individual is fully served in the CHC Waiver, then they would come off the waiting list since their needs have been met by another program.
- If the individual's needs have not been met by the CHC Waiver, then the SC should ensure the PUNS is updated and active.

How is someone's status on the waiting list impacted if enrolled in CHC as a NFI Dual for physical health?

- If the individual has unmet needs, then a PUNS should be updated and active.

- The individual will be on the ODP Waiting if they have unmet needs.

How is someone's status on the waiting list impacted if enrolled in the OBRA Waiver?

- If the individual is fully served in the OBRA Waiver, then they would come off the waiting list since their needs have been met by another program.
- If the individual's needs have not been met by the OBRA Waiver, then the SC should ensure the PUNS is updated and active.

What are the expectations of AEs and SCOs in providing information regarding CHC and OBRA Waiver to an individual on ODP's Waiting List?

- Individuals who are not offered an ODP waiver and are placed on the ODP Waiting List, or who are interested in other home and community-based programs should be provided with the information regarding other programs.
- Information should be provided in plain language, that is accessible to the individual and their family.
- When providing information on available HCBS options, ensure that the individual and their family understand the differences and are afforded informed choice, including the option to remain on the ODP Waiting List when eligible for other programs and change of status on the waiting list when enrolled in other HCBS programs. It must be explained to the individual and family that:

- If the individual is fully served in the CHC waiver, then they would be removed from the ODP Waiting List because their needs have been met by another program and
 - If the individual's needs have not been fully met by the CHC waiver, then the PUNS should be updated and active to indicate the appropriate status on the ODP Waiting List.
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- If individuals are interested in applying for other HCBS programs, they should be referred to the PA IEB (see link below).
<https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Independent-Enrollment-Broker.aspx>
 - The SC must document all discussion, assurance of informed choice, and the rationale of the individual's decision in a service note.