

Now Available: Amendments to the Office of Developmental Programs' (ODP) Waivers Submitted to the Centers for Medicare and Medicaid Services (CMS) ODP Announcement 23-070

AUDIENCE:

- Individuals and Families
- Providers of Consolidated, Community Living, Person/Family Directed Support (P/FDS) and Adult Autism Waiver services
- Supports Coordination Organizations (SCOs)
- Administrative Entities (AEs)
- Other interested persons

PURPOSE:

The purpose of this communication is to inform all interested parties of the submission of the Consolidated, Community Living, P/FDS and AAW amendments to CMS. The waiver amendments are available on the Department of Human Services' (DHS) website. It is anticipated that the amendments will be effective **November 1, 2023**.

DISCUSSION:

ODP is pleased to announce that changes to the Consolidated, Community Living, P/FDS, and Adult Autism Waivers (known as waiver amendments) were submitted to CMS on July 25, 2023. The submitted waivers include the following changes made as a result of public comment:

- Allowing short-term leasing of Assistive Technology for emergency substitution of a device or equipment until repairs are made or a replacement can be purchased or to support participants to try equipment and device(s) to determine whether the equipment or device(s) will be a good fit to meet the participant's needs. This change applies to all four waivers.
- Clarifying that the goal of the new telehealth service is to provide a right-on-time telehealth assessment when the participant's primary care physician is unavailable or unable to determine the best clinical course of action, often avoiding unnecessary emergency room visits. This includes changing the name of the service from Specialty Health Assessment and Coordination to Specialty Telehealth and Assessment Team. This change applies to the Consolidated, Community Living, and P/FDS Waivers.
- Including therapeutic recreation as a bachelor's degree that qualifies a professional to provide enhanced levels of Community Participation Support (CPS), In-Home and Community Support, or Respite. This change applies to the Consolidated, Community Living, and P/FDS Waivers.
- Clarifying that participants receiving Benefits Counseling only need to be referred to Work Incentives Planning and Assistance programs after the initial referral when there has been an interruption in service where the participant has

not received Benefits Counseling services in more than nine months. This change applies to the Consolidated, Community Living, and P/FDS Waivers.

- Adjusting the CPS recovery payment amounts and tiers due to slower than projected recovery. This change applies to the Consolidated, Community Living, and P/FDS Waivers.
- Increasing the annual limit for Public Transportation in the AAW.

All other changes proposed have been included in the waivers submitted to CMS. Some proposed waiver changes, including rates, have a fiscal impact and require approval of funding in Pennsylvania's budget for Fiscal Year 2023-2024. If the funding is not approved, ODP will inform CMS of the need to remove those impacted changes to the waiver amendments. ODP will publish final approved changes to rates prior to implementation. It is ODP's goal to implement the final approved changes to rates on January 1, 2024.

Each full waiver application, as well as a record of substantive changes, is available online at [November 2023 Waiver Amendments \(www.dhs.pa.gov\)](http://www.dhs.pa.gov). CMS has 90 days to review the waiver amendments and additional changes may occur based upon discussion with CMS during the approval process. It is anticipated that the waiver amendments will be approved and effective November 1, 2023. ODP will inform all stakeholders when CMS has officially approved the Consolidated, Community Living, P/FDS, and Adult Autism Waivers and will make the approved waivers available at that time.

CONTACT:

Questions about this communication should be directed to the appropriate ODP Regional Office.