

Open for Public Comment: Proposed Waiver Amendments and Rates for Services Funded Through the Adult Autism Waiver (AAW)

ODP Announcement 24-038

AUDIENCE:

All Stakeholders

PURPOSE:

To inform all interested stakeholders of the opportunity to submit public comments on the proposed amendments to the AAW effective January 1, 2025 and proposed rates for services funded through the AAW effective July 1, 2024. **There is a 45-day public comment period that starts on April 20, 2024, and ends on June 4, 2024, at 11:59 PM for both the proposed waiver amendment and rates.**

DISCUSSION:

The Office of Developmental Programs (ODP) is pleased to invite public comment on proposed changes to the AAW. These proposed changes are scheduled to take effect January 1, 2025. ODP is also making available for public review and comment the rate setting methodology and the fee schedule rates for services funded through the AAW and the proposed Department-established Fees for Residential Habilitation Ineligible Services that are scheduled to take effect on July 1, 2024. The Department of Human Services (Department) is required to update data used to establish fee schedule rates at least every three years. The rates for AAW services were last reviewed and updated on July 1, 2021.

Whenever substantive changes are made to an approved waiver, ODP must submit an amendment to the Centers for Medicare and Medicaid Services (CMS) for approval. As part of the amendment and rate setting process, ODP is seeking your valuable feedback and comments on both the proposed waiver amendment and rates.

Two separate notices have been published in the *Pennsylvania Bulletin*, Volume 54, Number 16, published on Saturday, April 20, 2024. The notice containing all proposed AAW changes, including how to provide comments, can be read at

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol54/54-16/560.html>.

The notice containing the proposed rates and rate-setting methodology, including how to provide comments, can be read at

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol54/54-16/561.html>.

INFORMATION FOR THE PROPOSED AAW AMENDMENT EFFECTIVE JANUARY 1, 2025:

Some of the substantive proposed changes to the AAW are as follows:

- Support participants who utilize American Sign Language (ASL) with the addition of an ASL English Interpreter service.
- Clarify that participants receiving services in an acute care hospital will not be disenrolled from the AAW and will not require reserved waiver capacity.
- Clarify that Day Habilitation support must include a comprehensive analysis of a participant's interests and preferences for community activities, skills and strengths likely to be valuable to employers or the community, and conditions necessary for successful community inclusion and/or competitive integrated employment at least annually.
- Clarify that Community Transition Services can be used to support individuals transitioning from settings such as Residential Habilitation to private residences in alignment with guidance in the CMS Instructions, Technical Guide and Review Criteria for 1915c waivers.
- Revisions to align waiver requirements and provider qualifications with regulatory requirements and other ODP waivers, correct errors, and provide clarification requested by stakeholders.

A record of change and the AAW amendment in its entirety can be found at:

<https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Proposed-Waiver-Amendments.aspx>.

INFORMATION FOR THE PROPOSED RATE SETTING METHODOLOGY AND FEE SCHEDULE RATES EFFECTIVE JULY 1, 2024:

The proposed fee schedule rates represent the maximum rates the Department will pay for each service. The proposed rate changes are scheduled to become effective July 1, 2024. The proposed rates and associated information may be found online at:

<https://www.dhs.pa.gov/providers/Providers/Pages/ODP-Proposed-Rate-Information.aspx>.

PUBLIC COMMENTS:

Interested persons are invited to submit written comments regarding both the proposed waiver amendment and rate setting methodology and fee schedule rates. Comments received by **11:59 p.m. on June 4, 2024**, will be reviewed and considered for revisions to the waiver amendments submitted to CMS and final rates.

- Comments regarding the **January 1, 2025, AAW Amendment**, should be addressed to RA-odpcomment@pa.gov or:

Julie Mochon
Department of Human Services, Office of Developmental Programs
625 Forster Street
Room 510
Harrisburg, PA 17120

- Comments regarding the **July 1, 2024, AAW Rates**, should be addressed to ra-ratesetting@pa.gov using subject header **“AAW Rates”** or:

Jamie Bonser
Department of Human Services, Office of Developmental Programs
625 Forster Street
Room 510
Harrisburg, PA 17120

AAW PUBLIC COMMENT WEBINAR:

The Department will hold a webinar to receive comments on the proposed AAW amendments. The date, time, and link for registration to attend the webinar are as follows:

Date: May 10, 2024

Time: 1:00 to 2:30 PM

Registration Link: <https://attendee.gotowebinar.com/register/2323217930158053983>

Participants can participate in the webinar by phone but will need a computer to provide comments during the webinars.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Relay Service by dialing 711 or by using one of the following tollfree numbers:

- (800) 654-5984 (TDD users)
- (800) 654-5988 (voice users)
- (844) 308-9292 (Speech-to-Speech)
- (844) 308-9291 (Spanish)